

MISSION STATEMENT

UCT aspires to become a premier academic meeting point between South Africa, the rest of Africa and the world. Taking advantage of expanding global networks and our distinct vantage point in Africa, we are committed through innovative research and scholarship, to grapple with the key issues of our natural and social worlds. We aim to produce graduates whose qualifications are internationally recognised and locally applicable, underpinned by values of engaged citizenship and social justice. UCT will promote diversity and transformation within our institution and beyond, including growing the next generation of academics.

Foundation statement underpinning the mission statement

Our research-led identity is shaped by a commitment to:

- academic freedom as the prerequisite to fostering intellectual debate and free inquiry;
- ensuring that research informs all our activities including teaching, learning and service in the community;
- advancing and disseminating knowledge that addresses the key challenges facing society – South African, continental and global;
- protecting “curiosity driven” research;
- nurturing and valuing creativity in the sciences and arts including the performing and creative arts;
- stimulating international linkages of researchers and research groupings;

We strive to provide a superior, quality educational experience for undergraduate and postgraduate students through:

- providing an intellectually and socially stimulating environment;
- inspired and dedicated teaching and learning;
- exposure to the excitement of creating new knowledge;
- stimulating the love of life-long learning;
- the cultivation of competencies for global citizenship;
- supporting programmes that stimulate the social consciousness of students;
- offering access to courses outside the conventional curricula;
- attracting a culturally and internationally diverse community of scholars;
- guaranteeing internationally competitive qualifications;
- offering a rich array of social, cultural, sporting and leadership opportunities;
- providing an enabling physical and operational environment.

In advancing UCT as an Afropolitan university, we will

- expand our expertise on Africa and offer it to the world;
- extend our networks on the continent, along with our global connections and partnerships;
- promote student and staff exchanges and collaborative research and postgraduate programmes;
- engage critically with Africa’s intellectuals and world views in teaching and research;
- contribute to strengthening higher education on our continent.

We strive to provide an environment for our diverse student and staff community that:

- promotes a more equitable and non-racial society;
- supports redress in regard to past injustices;
- is affirming and inclusive of all staff and promotes diversity in demographics, skills and backgrounds;
- offers individual development opportunities to all staff;
- is welcoming as a meeting space for scholars from Africa and around the world.



UNIVERSITY OF CAPE TOWN

FACULTY OF LAW

2013

Postal Address: University of Cape Town
Private Bag X3
7701 RONDEBOSCH

Dean's & Faculty Offices: Wilfred and Jules Kramer Building, Middle Campus

Office Hours: Mondays to Fridays: 08h30 - 16h30

Fax: +27 21-650 5662 (Dean's Office)
+27 21-650 5608 (Faculty Office)

Telephones:

Dean's Office	(021) 650 2706
Faculty Office	(021) 650 3086
Accounts and Fees	(021) 650 4076/1704
Admissions	(021) 650 2128/2130

Internet:

UCT's Home Page	http://www.uct.ac.za
Dean's Office	law-dean@uct.ac.za
Faculty Office	law-studies@uct.ac.za

The Admissions Office and Student Records Office are located in the Masingene Building, Middle Campus, and are open from 08h30 to 16h30. The Cashier's Office is located in the Kramer Building, Middle Campus, and is open from 09h00 to 15h30.

This handbook is part of a series that consists of

- Book 1:** Undergraduate Prospectus
- Book 2:** Authorities and Information of Record
- Book 3:** General Rules and Policies
- Book 4:** Academic Calendar and Meetings
- Book 5:** Student Support and Services
- Books 6-11:** Handbooks of the Faculties of Commerce, Engineering and the Built Environment, Health Sciences, Humanities, Law, Science
- Book 12:** Student Fees
- Book 13:** Bursary and Loan Opportunities for Undergraduate Study
- Book 14:** Financial Assistance for Postgraduate Students

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The University has made every effort to ensure the accuracy of the information in its handbooks. However, we reserve the right at any time, if circumstances dictate (for example, if there are not sufficient students registered), to

- (i) make alterations or changes to any of the published details of the opportunities on offer; or
- (ii) add to or withdraw any of the opportunities on offer.

Our students are given every assurance that changes to opportunities will only be made under compelling circumstances and students will be fully informed as soon as possible.

FACULTY OF LAW STATEMENT OF VALUES AND GOALS

We, the staff and students of the Faculty of Law of the University of Cape Town, recognise that we are a community of scholars, striving for excellence in all that we do. We are conscious of the fact that we are part of the broader South African society, and also the African and international academic community. We acknowledge the role played by the law in creating a society that was characterised by oppression and remains deeply divided by inequality.

We commit ourselves to the following goals: teaching and research which is of the highest quality; developing all staff and students to their fullest potential; promoting an institutional culture founded on mutual tolerance, respect, understanding, integrity and openness, one which values our common humanity and which celebrates and promotes diversity. In the pursuit of all these goals we hope to contribute to redressing the inequality and disparity that continues to exist within South African society.

We recognise that the realisation of these goals requires:

- Scholarship that is critical and compassionate, and which explores the potential of the law as a means to achieving justice for all;
- Leadership that is effective and promotes the values of the faculty;
- Accountable, inclusive and transparent decision-making in which staff and students are given the opportunity for effective participation;
- Open and critical debate that protects and promotes academic freedom and university autonomy;
- Provision to staff and students of opportunities and resources necessary for their optimal development.

We will strive to live these values and achieve these goals in our daily activities and exchanges with one another.

Historical Note

The Faculty of Law had its beginnings in the institution of a lectureship in law in 1859 and is the oldest faculty of law in South Africa. The first professor of law, appointed at a salary of £300 per year, was JH Brand, LLD Barrister-at-Law, who left in 1863 to become President of the Orange Free State.

For a detailed account of the history and development of the Faculty of Law see DV Cowen *The History of the Faculty of Law in the University of Cape Town, 1859 -- 1959* (*Acta Juridica*, 1959); *Taught law is tough law: the evolution of a South African Law School (1914 --)* (*Tydskrif vir Hedendaagse Romeins-Hollandse Reg*, 1988); DP Visser *As durable as the mountain: the story of the Cape Town Law School since 1859* (*Consultus*, April 1992); and Denis Cowen and Daniel Visser *The University of Cape Town Law Faculty: A History 1859 -- 2004* (Siber Ink 2004).

GENERAL INFORMATION

Officers in the Faculty

	Telephone (021) 650 +
Dean of the Faculty:	
Professor PJ Schwikkard, BA <i>Witwatersrand</i> LLB LLM <i>Natal</i> LLD <i>Stell</i>	2705
Administrative Officer in the Dean's Office:	
Mrs LA Collins, BSocSc PGDipMan(HRM) <i>Cape Town</i>	2706
Deputy Dean:	
Professor P de Vos, BCom LLB <i>Stell</i> LLM <i>Columbia</i> LLD <i>UWC</i>	3079
Deputy Dean (Postgraduate Studies):	
Professor E van der Spuy, MA <i>Stell</i> PhD <i>Cape Town</i>	2988
Director of Internationalisation:	
Professor A Paterson, BSocSc LLB LLM <i>Cape Town</i> PhD <i>Cape Town</i> Attorney of the High Court	5644
Director of the School for Legal Practice:	
Ms GY Kemp, BA LLB <i>Cape Town</i> Attorney of the High Court	4481
Director of Faculty Research:	
Professor LA Feris, BA LLB <i>Stell</i> LLM <i>Georgetown</i> LLD <i>Stell</i>	5216
Development and Marketing Manager:	
Ms P Alexander, BA <i>Cape Town</i> BA(Hons) MA <i>Unisa</i>	5602
Professional Development Manager:	
Mrs I Wasserfall, BJuris LLB <i>UPE</i> Attorney of the High Court	5621
IT Manager:	
Ms J Erasmus	5320
Faculty Finance Staff:	
Finance Manager:	
Ms V Stemmet, BCom(Hons) <i>UWC</i>	5657
Finance Officer:	
Ms R Ferguson	5653
Human Resources Management:	
Senior Human Resources Advisor:	
Ms SL Hill, BA <i>Unisa</i>	2940
Human Resources Advisor:	
Ms L Sibiya, BTech <i>CPUT</i>	2162
Faculty Administrative Staff:	
Faculty Manager: Academic Administration:	
Mrs RJ Gherasim, BMus (Librarianship) HDipLib BBibI(Hons) <i>Cape Town</i>	3087
Deputy Faculty Manager: Academic Administration:	
Ms P Phillips, BA <i>Cape Town</i>	5409
Administrative Officer (LLB Studies):	
Ms V Mzamo	5648
Administrative Officer (School for Advanced Legal Studies):	
Ms S Ronnie	2997
Administrative Assistant:	
Mr MC Jacobs, LSTD <i>UWC</i>	5745
Senior Secretary:	
Ms TN Jacobs	3086

2 GENERAL INFORMATION

Student Advisers

LLB Curriculum:

Ms NJ Chanetsa, BA LLB <i>Cape Town</i> LLM <i>UCL</i>	2989
Dr C Ncube, LLB <i>Zimbabwe</i> LLM <i>Cantab</i> PhD <i>Cape Town</i>	3776
Ms S Singlee, LLB LLM <i>Cape Town</i> LLM <i>UNSW</i>	5690
Ms H Stoop, LLB <i>Pretoria</i> LLM <i>Stell</i>	2363
Ms J Yeats, BA LLB LLM <i>Stell</i> Attorney of the High Court	3069

Other Curricula:

Ms AL Titus, BCom LLB MCom <i>Cape Town</i> (Business Law Courses)	2617
Associate Professor H Scott, BA(Hons) LLB <i>Cape Town</i> BCL MPhil DPhil <i>Oxon</i> (Humanities Courses)	5610
Professor A Paterson, BSocSc LLB LLM <i>Cape Town</i> PhD <i>Cape Town</i> Attorney of the High Court (Exchange students)	5644
Ms K Phelps, BA BSocSc(Hons) <i>Cape Town</i> BA (Law) MA LLM <i>Cantab</i> (SALS students)	5625

Students registered in the Commerce Faculty (BCom and BBusSc Law and Commerce Programme): Enquiries should be referred to the Student Advisers in the Commerce Faculty. See details in the Commerce Faculty handbook.

Students registered in the Humanities Faculty (BA and BSocSc with Law major): Enquiries should be referred to the Student Advisers in the Humanities Faculty. See details in the Humanities Faculty handbook.

Year Co-ordinators

1st year UG LLB & Preliminary 1:	Dr A Barratt	3083
2nd year UG LLB & Preliminary 2:	Ms C Powell	5103
Intermediate Level:	Associate Professor M Paleker	5611
Final Level:	Professor AJ Barnard-Naudé	5655

Postgraduate Programme Conveners

Commercial Law	Associate Professor G Bradfield	3066
Comparative Law in Africa	Professor S Mancuso	2770
Constitutional and Administrative Law	Professor HM Corder	3085
Criminal Justice	Associate Professor D Smythe	5680
Dispute Resolution	Professor A Rycroft	3070
Environmental Law, Marine and Environmental Law	Professor A Paterson	5644
Human Rights Law	Professor DM Chirwa	5615
Intellectual Property Law	Ms L-A Tong	5686
International Law	Ms C Powell	5103
International Trade Law	Associate Professor G Bradfield	3066
Labour Law	Ms S Singlee	5646
Public Law	Professor DM Chirwa	5615
Shipping Law	Associate Professor G Bradfield	3066
Social Justice	Ms M von Broembsen	5284
Tax Law	Ms TL Gutuza	5639

Law Students' Council 2013

Telephone: (021) 6504723

President
Vice-President External
Vice-President Internal
Treasurer
Secretary-General
Transformation Officer
Academic Officer
Media & Communications
Student Life

Fax: (021) 6505662

Jonathan Dean Rishi Singh
Steve Stuart-Steer
Cait Murphy
Kevin Minofu
Mulesa Lumina
Tracy-Lee Lusty
Richard Maccallum
Sian Fagan
Graham Evans

E-mail address: lsc.uct@gmail.com

lsc.president.uct@gmail.com
lsc.vp.external@gmail.com
lsc.vp.internal@gmail.com
lsc.treasurer.uct@gmail.com
lsc.secretary.uct@gmail.com
lsc.transformation@gmail.com
lsc.academic.uct@gmail.com
lsc.communication@gmail.com
lsc.studentlife@gmail.com

Postgraduate Students' Council 2013

Telephone: (021) 6505121

President
Vice-President
General Secretary
Public Relations Officer
Finance Director
Social Director
Assistant Secretary/Head of
Constitutional Committee

Christian Zenim
Rutendo Mudarikwa
Sarai Chisala
Amah Afadameh
Ibe Wogu
Moyombuya Ngubula
Kahaki Jere

E-mail address:

christian.zenim@uct.ac.za
rshlyln@gmail.com
sarai.chisala@gmail.com
amaafadameh@gmail.com
ibewogu@gmail.com
moyongubula@gmail.com
kahaki.jere@uct.ac.za

Degrees and Diplomas offered in the Faculty

Minimum period of registration

Bachelor of Laws (Graduate stream)	LLB	3 years
Bachelor of Laws (Undergraduate stream)	LLB	4 years
Master of Laws	LLM	1 year
Postgraduate Diploma in Law	PG Dip Law	1 year

(A general LLM degree is offered as well as specialised degrees in areas such as Commercial Law, Company Law, Comparative Law in Africa, Constitutional Law, Criminal Justice, Environmental Law, Human Rights Law, International Law, International Trade Law, Labour Law, Marine & Environmental Law, Private Law, Public Law, Shipping Law, Social Justice and Tax Law.)

Master of Laws (Research Dissertation)	LLM	1 year
Master of Philosophy (Research Dissertation)	MPhil	1 year
Doctor of Philosophy (Research Thesis)	PhD	2 years
Doctor of Laws (Published Work)	LLD	1 year

(Offered in many areas of law including Commercial Law, Constitutional Law, Criminal Justice, Environmental Law, Human Rights Law, International Law, Labour Law, Private Law, Marine & Environmental Law, Shipping Law, Public Law and Tax Law.)

4 GENERAL INFORMATION

Professional Qualification

The Qualifications of Legal Practitioners Amendment Act of 1997 provides that the LLB is the universal legal qualification for admission and enrolment as an advocate or attorney. Normally those who wish to enter private practice as advocates are required to become members of a Bar Association by undergoing a period of training in pupillage with a practising member of the Bar and by sitting an admission examination. Before admission as an attorney, an LLB graduate must serve as a candidate attorney with a practising attorney. Attendance at a practical legal training course or performance of community service may reduce the period required to serve articles. Thereafter candidates write a professional examination set by the relevant provincial Law Society. The Act of Parliament regulating admission to practise law is being revised and a new law is expected in the near future, which may change these requirements. Obtaining the LLB does not imply that non-citizens of South Africa may be admitted to practise in this country.

Language proficiency in the legal profession

There are no statutory language requirements for the practice of law. Language proficiency is, however, very important for the study and practice of law. Prospective lawyers are encouraged, therefore, to include courses in the national languages in their curricula. The four year undergraduate LLB requires the inclusion of languages in its curriculum.

QUALIFICATIONS IN THE FACULTY

The programmes in the Law Faculty are the Basic Legal Education Programme (leading to the LLB degree), the Advanced Legal Education Programme (leading to the LLM degree or a Postgraduate Diploma in Law) and the Practical Legal Education Programme (leading to a Certificate in Legal Practice).

Basic Legal Education programme

The LLB degree provides students with a sound knowledge of the general principles of the South African legal system, and an ability to use legal materials effectively. Graduates should be able critically to assess, interpret and apply the law and have the historical, comparative and jurisprudential background that is essential for a thorough and critical understanding of law and legal institutions.

The courses taken for the LLB are Administrative Law, African Customary Law, Civil Procedure, Commercial Transactions Law, Comparative Legal History, Constitutional Law, Corporation Law, Criminal Law, Criminal Procedure, Evidence, Foundations of South African Law, International Law, Jurisprudence, Law of Contract, Law of Delict, Law of Persons and Marriage, Law of Property, Law of Succession, Quantitative Literacy for Law and optional and research components.

These courses are offered in three streams: a three year graduate LLB stream, a five or six year combined Law and Humanities or Law and Commerce LLB stream, and a four year undergraduate LLB stream.

In each of these streams the courses are graded into three levels.

- At the Preliminary Level the courses acquaint students with both the background to and the foundations of the South African legal system, with legal thinking and analysis, and with an understanding of the role and function of law. In addition, particular attention is paid to reading and writing skills required for the senior courses.
- The Intermediate Level courses provide instruction on a more advanced level in a broad range of core subjects.
- The Final Level completes the degree and students are able to specialise by choosing from a range of optional courses.

Each level of the LLB degree curriculum includes a skills component which forms part of the degree programme and which cumulatively teaches students generic practical skills such as problem solving, analysis, research and communication skills, as well as practical legal skills such as drafting of particular kinds of legal documents and legal argumentation, both written and verbal. In particular, at the Final Level, a compulsory integrated assessment project draws on elements of the skills component and courses studied in the earlier parts of the curriculum. Law students are required in the Intermediate Level to make constructive use of the knowledge and skills they acquire by contributing to the community through Legal Aid, Community Service, Shawco, Rape Crisis, Parliamentary Monitoring Group or similar outreach activities.

Graduate LLB stream

Students enter this stream after having completed a bachelor's degree without law subjects. Students who have done a full degree in another discipline will have had an opportunity to develop their critical and analytical skills in a non-legal environment, and therefore will be equipped to benefit from legal studies.

6 QUALIFICATIONS IN THE FACULTY

Five or six year combined Law and Humanities or Law and Commerce LLB stream

Students enter this stream with the intention of following an undergraduate programme in Law and Humanities or Law and Commerce, leading to a BA, BSocSc or a BCom/BBusSc and thereafter a two year graduate LLB. The objective of a broad-based education is achieved in this stream by including cognate courses which ensure that the student has a thorough grasp of at least one discipline outside of law.

Four year undergraduate LLB stream

Students enter this stream as matriculants and complete the LLB degree in four years. Humanities courses are included in the curriculum so as to fulfil the objective of providing UCT law graduates with a well rounded broad-based legal education.

Extended streams

All streams include the possibility of an extended curriculum for the purpose of accommodating students from educationally disadvantaged backgrounds.

Advanced Legal Education programme

This programme provides an opportunity for law graduates to pursue their academic interests at a higher postgraduate level (towards an LLM or Postgraduate Diploma) or for any other suitably qualified graduate to gain high-level knowledge of a particular field of law (through an MPhil degree) by way of coursework (in a very wide range of subjects) and an associated dissertation.

Practical Legal Education programme

The School for Legal Practice, established in 1992, is a joint project of the Law Society of South Africa and the Law Faculties of the Universities of Cape Town, Western Cape and Stellenbosch. The object of the School is to provide law graduates with applied skills in legal practice, thereby also improving access to the legal profession.

Two intensive full-time programmes are offered each year, the first commences in mid-January and runs to mid-June, and the second from late June to the end of November. A Night School is also offered which runs from late January to the end of November.

The Faculty also offers degrees at an advanced level which require satisfactory completion of independent research and writing.

DEPARTMENTS IN THE FACULTY

The Departments of the Faculty are located in the Wilfred and Jules Kramer Law School Building, Middle Campus. There are also Research units attached to these departments: Institute of Development and Labour Law (Commercial Law) and the Institute of Marine and Environmental Law, the Centre for Law and Society and the Democratic Governance and Rights Unit (Public Law).

The Centre of Criminology offers courses in both the Faculty of Law and the Faculty of Humanities. The Centre is a research unit with strong community links, and is situated in the Department of Public Law. The School for Legal Practice falls under the office of the Dean.

** Denotes on leave for part or all of the 2013 academic year.*

Professor Ad Hominem in the Faculty:

DP Visser, B Juris LLB LLD *Pretoria* Dr Jur *Leiden* Advocate of the High Court

Honorary Professors in the Faculty:

DM Davis, BCom LLB *Cape Town* MPhil *Cantab* Judge of the High Court

I Farlam, BA LLB *Cape Town*

K O'Regan, BA LLB *Cape Town* LLM *Sydney* PhD *London*

J Stewart, LLB(Hons) *London* Director of the Women's Law Centre in Zimbabwe

W Trengove, BCom LLB *Pretoria*

DEPARTMENT OF COMMERCIAL LAW

Emeritus Associate Professor:

J Hofman, BL LLB *Zimbabwe* LPhil *Heythrop* B Theol LJC *Greg* Legal Practitioner *Zimbabwe*

Professor and Head of Department:

A Rycroft, BA *Rhodes* LLB *Natal* LLM *London* Attorney of the High Court

Professors:

RD Jooste, BA BCom(Hons) (Taxation) LLB *Cape Town* DCLS LLM *Cantab* Attorney of the High Court

R le Roux, BJuris LLB *UPE* LLM *Stell* PG Dip (Employment Law and Social Security Law) *Cape Town* LLM *Anglia Polytechnic* PhD *Cape Town* Attorney and Conveyancer of the High Court

RC Williams, BA LLB *Cape Town* LLM *London* H DipTax *Witwatersrand* PhD *Macquarie* (Part-time)

Associate Professors:

G Bradfield, BCom LLB *Natal* LLM *Cape Town* Attorney of the High Court

D Collier, BA LLB *Rhodes* LLM PhD *Cape Town* Attorney of the High Court

TS Emslie, SC BA LLB *Witwatersrand* BCom(Hons)(Taxation) MBA *Cape Town* Advocate of the High Court (Part-time)

*T Mongalo, BProc (summa cum laude) LLB *Natal* LLM *Cantab*

Honorary Research Associate:

T Kruger, BA LLB *Stell* PhD *Leuven*

8 DEPARTMENTS IN THE FACULTY

Adjunct Professors:

A Bosman, BA LLB *Cape Town* LLM *Notre Dame*
N Jeram, BA LLB LLM *Cape Town*
T Madima, BJuris *North* LLM PhD *Essex* EMBA *Cape Town* Advocate of the High Court
W Scholtz, BA(Hons) *Rhodes* LLB *Cape Town* Advocate of the Supreme Court
E Swanepoel, BA LLB LLM *Cape Town*
CR Thompson, BA(Hons) *Stell* LLB *Cape Town* Attorney of the High Court

Senior Lecturers:

*W Amien, BA LLB *Cape Town* LLM *UWC* PhD *Ghent* Attorney of the High Court
TL Gutuza, BSocSc LLB *Cape Town* BA(Hons) LLM *Unisa* LLM *London* Attorney of the High Court
A Hutchison, BA LLB LLM PhD *Cape Town*
K Idensohn, BA LLB *Cape Town* LLM *Cantab* Attorney of the High Court
K Lehmann, BA LLB *Cape Town* LLM *Nottingham* Attorney and Conveyancer of the High Court
C Ncube, LLB *Zimbabwe* LLM *Cantab* PhD *Cape Town*
L-A Tong, BA(Hons) LLB *Cape Town* LLM *London* LLM *Turin* Attorney of the High Court
T Wiese, BCom LLB LLD *Stell* (Part-time)
J Yeats, BA LLB LLM *Stell* Attorney of the High Court

Lecturers:

R Bradstreet, BA LLB LLM *Cape Town*
E Fergus, BPsych *Stell* LLB *Cape Town*
J Franco, BA LLB *Cape Town* Attorney and Notary Public and Conveyancer of the High Court
(Part-time)
L Naidoo, LLB *UKZN* LLM *Cape Town*
M Nkomo, LLB *Wales* LLM *Pretoria/UWC* Master of International Law and Economics *Berne, Fribourg and Neuchatel*
S Singlee, LLB LLM *Cape Town* LLM *UNSW*
H Stoop, LLB *Pretoria* LLM *Stell*
AL Titus, BCom LLB MCom *Cape Town*

Administrative Officer:

C Elissac, BAdmin(Hons) *UWC* (LLB, PGDip/LLM courses)

Administrative Assistant:

M Mbebe (Commerce/Law service courses)

Centre for Comparative Law in Africa

Professor and Chair:

S Mancuso, LLB *Palermo* PhD *Trieste*

Director:

A Ordor, LLB *Jos* LLM *Nig* PhD *Cape Town*

Administrator:

S van der Brock

The Centre for Comparative Law in Africa (CCLA) was established in 2011 to promote the study of comparative law and draw on the strengths of comparative methodology to research into the multifaceted field of law in Africa. The Centre presents an opportunity to develop a discipline that lends itself to optimal application in the pluralistic legal frameworks within which life is lived in Africa. In its mission to contribute to the development of comparative law in Africa, the strategy of the CCLA is to establish the field at UCT, build capacity in it across the continent through academic

programmes, apply comparative law expertise in consultancies and disseminate new knowledge in comparative law in Africa through conferences, publications and professional networks. Its location within the Department of Commercial Law recognises the centrality of comparative law to ongoing efforts at economic integration on the African continent. The CCLA offers an LLM and a postgraduate diploma specialising in Comparative Law and conducts research on a variety of themes that apply the comparative methodology. The CCLA also provides support for Africa-focused doctoral research and undertakes capacity-building programmes in various issues of law in development in Africa that require comparative methods.

Institute of Development and Labour Law

Founding Directors:

CR Thompson (Labour Law Unit, 1987); DP Visser (Institute of Development Law, 1992)

Professor and Director:

R le Roux, BJuris LLB *UPE* LLM *Stell* PG Dip (Employment Law and Social Security Law) *Cape Town* LLM *Anglia Polytechnic* PhD *Cape Town* Attorney and Conveyancer of the High Court

Senior Researcher:

S Godfrey, MA *Cape Town*

Labour and Enterprise Project Co-ordinator:

J Theron, BA LLB PG Dip (Employment Law and Security Law) *Cape Town* Attorney of the High Court

Research Associates:

C Bosch, BA LLB *Stell* LLM *Cape Town*

A Breetzke, BA LLB *Stell* PG Dip (Employment Law and Social Security Law) *Cape Town*

SH Christie, BA(Hons) LLB *Rhodes* Attorney of the High Court

M Clarke, MA PhD *Toronto*

D du Toit, BA LLB *Cape Town* LLD *Leiden* Advocate of the High Court

C Fenwick, LLB *Melbourne* LLM *Virginia*

S Gallo, MA *London* PhD *Cape Town*

G Giles, BA *Stell* LLB *Johannesburg*

I Manley, BA LLB *London*

N Ndumo, BA LLB *Lesotho* LLM *Cape Town*

B Rutinwa, LLB *Dar es Salaam* BCL DPhil *Oxon*

R Sikwese, LLB *Malawi* LLM *Indiana*

R van Voore, BA LLB *Cape Town* LLM *London* Attorney of the High Court (Part-time)

D Woolfrey, BA LLB *Natal* Attorney of the High Court

Administrator:

F Khan

The Institute was established at the beginning of 1996 through the merger of the Labour Law Unit (established in 1987) and the Institute of Development Law (established in 1992). It is situated in the Faculty of Law. The objectives of the Institute are to promote research into the law relating to development and labour in Southern Africa, foster links and provide a reference point for scholarship and policy. It convenes conferences, seminars and workshops. It also produces, either independently or as part of joint projects, several publications, including the *Industrial Law Journal* and the *Southern African Development and Labour Monographs*. The Institute also runs postgraduate diplomas in Employment Law and Dispute Resolution as part of the School of Advanced Legal Studies programme.

Intellectual Property Law and Policy Research Unit

Founding Director:

DP Visser, B Juris LLB LLD *Pretoria* Dr Jur *Leiden* Advocate of the High Court

Director:

J Kinderlerer, BSc(Hons) *Cape Town* PhD *Cantab* (January - February 2013)
T Schönwetter, LLB equivalent *Hamburg* LLM PhD *Cape Town* (March 2013 -)

Professor:

J Kinderlerer, BSc(Hons) *Cape Town* PhD *Cantab*

Unit Staff:

B Maister, MBChB *Cape Town* JD *Minnesota* LLM *New York*
T Schönwetter, LLB equivalent *Hamburg* LLM PhD *Cape Town*
N Warner, MEd *UWC*

Unit Members/Research Staff:

D Collier, BA LLB *Rhodes* LLM PhD *Cape Town* Attorney of the High Court
C Ncube, LLB *Zimbabwe* LLM *Cantab* PhD *Cape Town*
M Nkomo, LLB *Wales* LLM *Pretoria/UWC* Master of International Law and Economics *Berne, Fribourg and Neuchatel*
L-A Tong, BA(Hons) LLB *Cape Town* LLM *London* LLM *Turin*

The Intellectual Property Law and Policy Research Unit (IP Research Unit) was set up in 2007 as a centre for policy research and teaching in intellectual property law. The IP Research Unit believes that it is important that developing countries participate in the evolution of the Intellectual Property policy and law systems to ensure that any changes take full account of the needs of emerging economies and therefore can benefit them.

The Unit and its members engage in research and teaching primarily in the area of new and emerging technologies in the fields of biotechnology, information science and technology, medical science and agriculture. As such, the Unit specialises in areas of intellectual property which include patent law, copyright law and access and benefit sharing issues. The debate on intellectual property law and global issues increasingly necessitates policy research and analysis which is relevant to addressing the needs of developing and emerging economies. South Africa has to play a part in defining the manner in which these new challenges are met.

Shipping Law Unit

Associate Professor and Head:

G Bradfield, BCom LLB *Natal* LLM *Cape Town* Attorney of the High Court

Visiting Teacher:

R Knutzen, LLB *Cape Town* BCL *Oxon*

The Shipping Law Unit has been in operation since the beginning of 1993. The Unit was set up within the Department of Commercial Law to accommodate part-time and full-time studies in Shipping Law at higher postgraduate level, and to support the Maritime Law option offered to Final Level LLB students. The Shipping Law Unit provides postgraduate and higher postgraduate tuition and research in Admiralty law and practice and in all private law aspects of the law relating to the sea and ships. It serves as an information and advice centre to the shipping industry, and monitors developments in maritime law and policy in South Africa and abroad. The Unit co-operates closely with the Institute of Marine and Environmental Law which handles the public law elements of the Law of the Sea and related subjects.

DEPARTMENT OF PRIVATE LAW

Emeritus Professors:

SB Burman, BA LLB *Cape Town* MA DPhil *Oxon* Advocate of the High Court
 W de Vos, SC BA LLB *Stell* Drs Jur *Leiden* LLD *Cape Town* Advocate of the High Court

Professor and WP Schreiner Chair:

AG Fagan, BA LLB *Cape Town* MA DPhil *Oxon*

Professor and Head of Department:

T Naudé, BA LLB LLD *Stell* Attorney of the High Court

Professors:

AJ Barnard-Naudé, BCom LLB *Pretoria* MA *Cape Town* LLD *Pretoria*
 CN Himonga, LLB *Zambia* LLM PhD *London*
 DB Hutchison, BCom LLB *Cape Town* PhD *Cantab* Advocate of the High Court (Part-time)
 H Mostert, BA LLB LLM LLD *Stell*

Associate Professors:

M Paleker, BA LLB LLM *Cape Town* Attorney of the High Court
 A Pope, LDipLib *Stell* BA LLB *Rhodes* PG Dip Int Res Ethics *Cape Town*
 H Scott, BA(Hons) LLB *Cape Town* BCL MPhil DPhil *Oxon*

Visiting Professor:

R Evans Jones, LLB *Aberdeen* PhD *Edinburgh*

Honorary Research Associate:

M Hewett, BA(Hons) BEd *Cape Town* PhD *Amsterdam*

Honorary Senior Lecturer:

T Fleischer, BA JD *Santa Clara* LLM *McGill* Attorney of Alaska, Idaho and United States Supreme Courts

Senior Lecturers:

A Barratt, BA(Hons) HDLIS *Cape Town* LLB LLM *Unisa* PhD *Cape Town*
 L Greenbaum, BA LLB *Natal* MEd(HE) PhD *UKZN*
 A Price, BBusSc LLB *Cape Town* BCL *Oxon* PhD *Cantab*

Lecturers:

*J Jonker, BBusSc LLB MPhil *Cape Town*
 S Lutchman, LLB *UKZN* LLM *NYU*

Research Co-ordinator for the Chair in Customary Law:

N Sibanda, LLB *Fort Hare* MA *Stellenbosch*

Administrative Officer:

N Campbell

Senior Secretary:

F Mohamed

UCT Law Clinic

Director:

Y Moodley, BA HDE LLB LLM *Cape Town* Attorney of the High Court

Attorneys:

S Ally, LLB *UWC* Attorney of the High Court

M Smith, BA LLB *Cape Town* Attorney of the High Court

Administrative Assistant:

Vacant

Refugee Rights Project

Attorneys:

F Khan (Project Director), BA HDE LLB LLM *Cape Town* Attorney of the High Court

J Chapman, LLB *Cape Town* Attorney of the High Court

J de Jager, BA LLB LLM *Cape Town*

T Mwambala, BSocSc LLB LLM *Cape Town*

M Schoeman, BA LLB *UWC*

The UCT Law Clinic operates as a fully functioning law practice run by a professional staff of experienced practising attorneys and conducting proceedings in both the magistrates' and high courts, as well as before the Refugee Appeals Board.

As a litigation practice, the Law Clinic offers students their first opportunity of handling cases for clients and gaining first-hand experience of court procedures.

Senior law students may register for the Legal Practice course (RDL4203H) which gives them the opportunity of working in the Law Clinic as legal advisors under supervision of the Clinic's attorneys. Through the course the Law Clinic provides its students with outstanding practical legal training while at the same time rendering free legal assistance to impoverished communities who would not otherwise have access to professional legal services. Many students who have completed the course have said that it is the most useful course they have taken during their law studies.

The Law Clinic may be contacted at uctlawclinic@uct.ac.za or by telephoning 021- 650 3775.

The Refugee Rights Project convenes two courses: Refugee and Immigration Law (PBL4103F) which focuses on the basic criteria for the attainment, denial and withdrawal of refugee status and the rights and treatment of refugees, and a higher postgraduate course Refugee Law and Human Rights (PBL5653F) which focuses primarily on refugee law and policy issues but does so within the broader context of migration.

Further information on the Refugee Rights Project may be obtained from its website www.refugeerights.uct.ac.za

DEPARTMENT OF PUBLIC LAW

The Department of Public Law offers degrees in both the Faculty of Law and the Faculty of Humanities. The Centre of Criminology, the Institute of Marine and Environment Law, the Centre for Law and Society and the Democratic Governance and Rights Unit are all linked to the Department of Public Law.

The Department of Public Law and research units are housed in the Kramer Law Building, 5th and 6th Levels, on Middle Campus.

The letter code for the Department is PBL.

The Department can be contacted by email at Rene.Francke@uct.ac.za.

Emeritus Professors:

DJ Devine, BA LLB *NUI* LLB *Unisa* LLD *Cape Town* Solicitor of the Supreme Court of Ireland,

Advocate of the High Court of Kenya

I Leeman, BA LLB *Stell*

Professor and Head of Department:

DM Chirwa, LLB (Hons) *Malawi* LLM *Pretoria* PhD *UWC* Practitioner of the High Court of Malawi

Professor and Claude Leon Foundation Chair in Constitutional Governance:

P de Vos, BCom LLB LLM *Stell* LLM *Columbia* LLD *UWC*

Professors:

*TW Bennett, BA LLB *Rhodes* PhD *Cape Town*

J Burchell, BA LLB *Natal* LLM *Cantab* PhD *Witwatersrand*

MH Cheadle, BA(Hons) *Natal* B Proc *Unisa* LLB *Witwatersrand* Advocate of the High Court of

South Africa, Advocate of the High Court of Namibia (Part-time)

HM Corder, BCom LLB *Cape Town* LLB *Cantab* DPhil *Oxon* Advocate of the High Court

LA Feris, BA LLB *Stell* LLM *Georgetown* LLD *Stell*

*JI Glazewski, BCom LLB MA LLD *Cape Town* LLM *London* Advocate of the High Court

*CM Murray, BA LLB *Stell* LLM *Michigan*

AR Paterson, BSocSc LLB LLM PhD *Cape Town* Attorney of the High Court

PJ Schwikkard, BA *Witwatersrand* LLB LLM *Natal* LLD *Stell* Attorney of the High Court

CD Shearing, BSocSc(Hons) *Natal* MA PhD *Toronto*

*E van der Spuy, BA(Hons) MA *Stell* PhD *Cape Town*

Associate Professors:

*R Calland, BA(Hons) LLB *Dunelm* LLM *Cape Town* Dip World Politics *London*

R Manjoo, BA LLB LLM *Natal* Advocate of the High Court (Part-time)

D Smythe, BA LLB *Cape Town* JSM JSD *Stanford*

Adjunct Professor:

MF Osborne, BA LLB *Witwatersrand* LLM *Notre Dame* Advocate of the High Court of South Africa, Member of New York and Cape Bars

Honorary Research Associate:

LWH Ackermann, BA LLB *Stell* MA *Oxon* LLD (hc) *Stell* Honorary Fellow Worcester College Oxford, Emeritus Justice Constitutional Court of South Africa

14 DEPARTMENTS IN THE FACULTY

Senior Lecturers:

J Berg, BSocSc(Hons) MSocSc *Cape Town*

K Phelps, BA BSocSc(Hons) *Cape Town* BA (Law) MA LLM *Cantab*

C Powell, BA LLB *Cape Town* LLM *Humboldt*

M von Broembsen, BA *Stell* LLB *Cape Town* MA *UWC* Attorney of the High Court (Part-time)

Lecturers:

NJ Chanetsa, BA LLB *Cape Town* LLM *UCL*

M du Plessis, BCom LLB LLM *Rhodes*

M Lau, LLB *Stell* LLM *Cape Town* Attorney of the High Court

H Woolaver, LLB *Durham* BCL *Oxon*

Administrative Officer:

D Mwambala

Senior Secretary:

R Francke

Centre for Law and Society (previously the Law, Race and Gender Unit)

Associate Professor and Director:

D Smythe, BA LLB *Cape Town* JSM JSD *Stanford*

Senior Researchers:

A Claassens, BA *Cape Town* BA(Hons) *Witwatersrand* PhD *Roskilde*

S Mnisi-Weeks, BA LLB *Cape Town* PhD *Oxon*

Researchers:

D Jefthas, BSocSc MSocSc *Cape Town*

N Luwaya, BA LLB *Cape Town*

M Souza, LLB LLM *Cape Town*

Research Associates:

D Budlender, BA(Hons) MA *Cape Town* BSc *Unisa*

M Jara, BSc Mechanical Engineering *Natal*

R Kingwill, BA(Hons) *Stell* HED *Cape Town*

L Nijzink, LLM *Maastricht* MA *Amsterdam*

Unit Administrator:

S Wright

The Centre for Law and Society (previously the Law, Race and Gender Research Unit) has worked, since its establishment in 1993, to provide legal decision-makers with an understanding of the ways in which the history and social context of South Africa informs the creation, application and interpretation of our laws. The Centre focuses on producing excellent empirical studies of law in context, based on participatory methodologies and collaborative partnerships. Research, training, and participatory workshops with legal decision makers have focused on issues of gender-based violence, racial discrimination and inequality, sexuality, ethics and associated legal problems. Currently the work of the Centre is focused on laws and practices affecting women living under customary law, including the Traditional Courts Bill and Communal Land Rights Act, and related governance issues. At the heart of the Centre's work is a continued commitment to sound research underpinning evidence-based advocacy on critical legal and social issues.

Centre of Criminology

Professor and Director:

CD Shearing, BSocSc(Hons) *Natal MA PhD Toronto*

Professor:

*E van der Spuy, BA(Hons) MA *Stell PhD Cape Town*

Honorary Research Associate:

DC Nel, MPhil MSc PhD *Cape Town*

Senior Lecturer:

J Berg, BSocSc(Hons) MSocSc *Cape Town*

Co-ordinator Multi-Media Electronic Resource Library (MERL):

E Atkins, Dip SocSc BA MBibl *Cape Town (Part-time)*

Administrative Assistant:

V Toleni

The Centre of Criminology (formerly known as the Institute of Criminology) is a research unit linked to the Department of Public Law. The Centre aims to initiate, co-ordinate and develop research and extension services in the broad field of criminology, and to promote public interest in all aspects of criminology. Since 2007 the core focus has become that of African Security and Justice.

The African Security and Justice Programme is funded by the South African National Research Foundation (NRF) Chair of Security and Justice as well as other funders. Current research in the Centre focuses on two main areas in criminology which are physical security and environmental security. The Physical Security Programme has two major areas of enquiry which are the Police Reform project and the Plural Policing Project. The Police Reform project focuses on issues relating to the reform of the public police in Africa more generally and Southern Africa more specifically. The Plural Policing Project explores emerging institutions of polycentric governance, both for delivering security governance and for governance accountability. Environmental Security research explores emerging institutions of polycentric governance for mitigation of and adaptation to climate change. Supporting and Sustaining New Economies is a programme funded by the Embassy of Finland. The programme considers ways in which the knowledge and capacities of poor constituencies can be mobilized in responding to climate change.

Democratic Governance and Rights Unit

Associate Professor and Director:

*R Calland, BA(Hons) LLB *Dunelm LLM Cape Town Dip World Politics London*

Research Officers:

T Masengu, LLB *Rhodes LLM LSE*

C Oxtoby, BSocSc LLB *Cape Town LLM NYU Attorney of the High Court*

Programme Manager:

V Karth, BA(Hons) MPhil *Cape Town*

Senior Secretary:

Vacant

16 DEPARTMENTS IN THE FACULTY

The mission of the Democratic Governance and Rights Unit (DGRU) is to influence policy-making and law reform in Africa through the development of fresh ideas on the most demanding and cutting-edge democratic governance obstacles to the full and effective enforcement and enjoyment of rights. It will seek to fulfil this mission by creating a safe intellectual space in which key stakeholders can think through possible solutions, with a range of inter-disciplinary projects that support the process and inform the debate so as to promote public accountability and the rule of law. The Unit's work falls into two broad focus areas:

(1) *Constitutionalism and the rule of law*

This is a very broad focus area, encompassing courts, rules and procedure, access to justice and related issues and the DGRU has a number of projects focusing on certain aspects under two main themes - namely the Judiciary (Judicial Appointments and Judicial Ethics & Judicial Independence) and Human Rights Enforcement. Issues of enforcement and oversight are key sub-elements to the focus area.

(2) *New rights and governance*

At this point of history, every organisation that is working in the field of democracy and human rights has to heed the sustainable development challenge and at the very minimum think through its own responsibilities. The DGRU focuses on the governance and rights dimension to the sustainable development puzzle – whether it is around identifying key new rights, such as the ‘right to mobility’, or teasing out the rights and governance issues connected to breakthrough science such as that on human genomes or patents, or on adding the governance and rights piece to the ‘new city’ planning to accompany architectural, technological and sociological contributions.

Institute of Marine and Environmental Law

Professor and Director of the Institute:

AR Paterson, BSocSc LLB LLM PhD *Cape Town* Attorney of the High Court

Emeritus Professor:

DJ Devine, BA LLB *NUI* LLB *Unisa* LLD *Cape Town* Solicitor of the Supreme Court in Ireland,
Advocate of the High Court of Kenya

Professors:

LA Feris, BA LLB *Stell* LLM *Georgetown* LLD *Stell*

*JI Glazewski, BCom LLB MA LLD *Cape Town* LLM *London* Advocate of the High Court

Lecturer:

M Lau, LLB *Stell* LLM *Cape Town* Attorney of the High Court

Honorary Research Associates:

J Hall, BA LLB *Cape Town* LLM *Unisa* PhD *Cape Town*

EV Witbooi, BA LLB LLM *Cape Town* PhD *London*

Senior Secretary:

PC Murphy

The Institute of Marine and Environmental Law monitors developments in the Law of the Sea and Environmental Law both at the international level and in the Southern African context. Its functions include keeping interested parties, in both the public and private sectors, informed of these developments; publishing from time to time substantial articles of an academic nature as monographs or occasional papers; providing opinions and undertaking research projects on a fee-paying basis when commissioned to do so; building up library and reference centres on the Law of the Sea and Environmental Law; providing courses and research supervision for postgraduate students in aspects of the Law of the Sea and Environmental Law; and providing such incidental lectures on these subjects as may be required by the University or outside interests.

OTHER UNITS AND FACILITIES

School for Legal Practice

Director:

GY Kemp, BA LLB *Cape Town* Attorney of the High Court

Training Co-ordinator:

Z Anthony

Receptionist:

D Arendse

The School for Legal Practice, established in 1993, is a joint project of the Law Society of South Africa and the Law Faculties of the Universities of Cape Town, Western Cape and Stellenbosch. The object of the School is to provide law graduates with applied skills in legal practice, thereby also improving access to the legal profession.

Two intensive full-time programmes are offered each year, the first commences in mid-January and runs to the middle of June, and the second from late June to end November. A Night School is also offered which runs from late January to the end of July.

Candidates at the School register as UCT students for the semester course DOL5600F/S Legal Practice, and may elect either to follow that course alone, or to apply for admission to LLM studies which will entail the completion of an additional three courses and a 25 000 word dissertation.

Attendance at the School may be credited towards the period required for the successful completion of articles of clerkship for the purposes of admission as an attorney.

The School is situated on the Ground Floor, Burg House, 14 Belmont Office Park, Belmont Road, Rondebosch, 7700. Further details on the School for Legal Practice may be obtained from either the Faculty Office or from the Director of the School for Legal Practice, University of Cape Town, Private Bag X3, Rondebosch, 7701. Telephone (021) 650 4481

Brand Van Zyl Law Library

Section Manager:

S Borephe, BA *Vista* PDipLIS BBibl(Hons) *RAU* BBA *CPUT* MBA *VUT*

Reference Librarians:

D Brey, BSocSc HDLIS BBibl(Hons) *Cape Town* LLB *Unisa*

S Mohamed, BA BBibl LLB LLM *UWC*

Senior Library Assistant:

Vacant

Library Assistant:

Z Jaffer

Departmental Assistant:

J Ismail

18 OTHER UNITS AND FACILITIES

The Brand Van Zyl Law Library is located on the second level of the Wilfred and Jules Kramer Law School Building, University of Cape Town. It holds substantial collections of South African, foreign, international and comparative legal materials, including monographs, law reports, statutes and journals.

The Library offers a substantial range of electronic resources, including indexes and full-text databases of case law, statutes and journal articles. Law students may access these databases from seventy computers in the Library, and may use these facilities to type and print out their assignments.

The Law Library also houses the Brand Van Zyl Collection which was presented to the University Library by the Rt Hon G Brand Van Zyl in 1949, and comprises legal works collected by the Van Zyl family over a period of 70 years. Additions to the collection are made by virtue of a bequest received for this purpose from the estate of the late Mrs MEC Van Zyl. This valuable collection now consists of more than 5000 volumes on Roman-Dutch law, most of which were published in the seventeenth and eighteenth centuries. These books may be consulted in the Van Zyl Seminar Room, with the permission of the Law Librarian. Hours of opening may be obtained from the Law Librarian, or from the website: <http://www.lib.uct.ac.za/law>.

Computer Resources

The Law Faculty believes that all its graduates should be computer literate and must know how to use the Internet and electronic legal resources for research and communication. Each and every student registered in the Faculty has a UCT email account, along with the use of the computers in the Law Faculty email bar in the Kramer Law building (on level 2) and in the Brand Van Zyl Law Library (level 2 and 1). Among the facilities available to students are word-processing for assignments, internet and email, and access to a range of South African and international electronic legal databases.

Students in the Faculty are tested on entering the faculty and thereafter offered training in general computer knowledge and word processing skills, also in the use of a wide range of electronic legal resources, such as LexisNexis and Jutastat. Many of these resources are listed on the Law Library's homepage at <http://www.lib.uct.ac.za/law>.

The Law Faculty has a comprehensive website which gives details about degrees and courses offered in the Faculty, about the staff and their teaching and research, and about the Brand Van Zyl Law Library and the services offered.

The Law Faculty homepage also supports the Constitutional Assembly Database of information relating to the drafting of South Africa's 1993 and 1996 Constitutions. Visit the Law Faculty's homepage at <http://www.law.uct.ac.za>

STRUCTURE OF COURSE CODES

Every course described in this Handbook has a course name and a corresponding course code. The code structure is uniform, and it gives important information about the course. Each code, eg DDD1nnnS, has eight characters, where

DDD	first 3 letters of the code denote the name of the Department offering the course
1	is a number representing the year of study in which the course is usually taken
nnn	is a 3 character number that identifies the course uniquely
S	is a single alpha character, specifying the time period during which the course is offered The following are used:
F	1st semester course
S	2nd semester course
H	half course taught over whole year
W	full course, year long
Z	non-standard period

The following examples show how this works:

RDL2002H	Law of Property
RDL	designates a Private Law course
2	designates a second year course
002	character number unique to course
H	designates a half course, over the whole year
PBL3000F	Interpretation of Statutes
PBL	designates a Public Law course
3	designates a third year course
000	character number unique to course
F	designates a first semester course

LECTURE PERIODS

1	08:00 - 08:45	Meridian	13:00 - 13:45
2	09:00 - 09:45	6	14:00 - 14:45
3	10:00 - 10:45	7	15:00 - 15:45
4	11:00 - 11:45	8	16:00 - 16:45
5	12:00 - 12:45	9	17:00 - 17:45

COURSES IN THE FACULTY

Dean of Law

DOL3000X	Moot Competition
DOL3001X	Community Service
DOL3002X	Intermediate Year Skills Component
DOL4000H	Integrative Assessment Project
DOL5600F/S/Z	Legal Practice (was DOL6000F/S/Z)

Department of Commercial Law

CML3001W	Corporation Law
CML4006W	Commercial Transactions Law

Research components

CML4301H	RFG: Law Development, Labour and Social Policy (was CML5402H)
CML4302H	RFG: Commercial Law (was CML5425H) (<i>Not on offer in 2013</i>)
CML4303H	RFG: Social Security (was CML5426H) (<i>Not on offer in 2013</i>)
CML4304H	RFG: Law and Regional Integration in Africa (was CML5429H) (<i>Not on offer in 2013</i>)
CML4305H	RFG: Company Law
CML4306H	RFG: Intellectual Property Law (was RDL4302H)
CML4401H	Independent Research Option (was CML5401H)

Optional courses: Final Level LLB

CML4101F	Insurance Law (was CML5012F) (<i>Not on offer in 2013</i>)
CML4102S	Trusts and Estate Planning (was CML5016S)
CML4103S	Electronic Law (Examination) (was CML5022S)
CML4104S	Competition Law (was CML5023S)
CML4105F	Conflict Resolution (was CML5030F)
CML4106H	Moot Caput (was CML5421H)
CML4107H	Electronic Law (Paper) (was CML5422H)
CML4108S	Theory and Practice of Commercial Regulation and Governance
CML4201H	Revenue Law (was CML5009H)
CML4202H	Labour Law (was CML5013H)
CML4203H	Intellectual Property Law (was RDL4204H)

Undergraduate courses (for students from other faculties)

CML1001F	Business Law I
CML1004S	Business Law I
CML2001F	Company Law
CML2005F	Labour Law UG
CML2010S	Business Law II

Higher postgraduate courses

CML5601F	Advanced Company Law: Securities (was CML6001F)
CML5613S	Collective Labour Law (was CML6013S)
CML5616F	International and Comparative Labour Law (was CML6016F) (<i>Not on offer in 2013</i>)
CML5622S	Pensions and Social Security Law (was CML6022S) (<i>Not on offer in 2013</i>)
CML5624F	Admiralty Jurisdiction and Practice (was CML6024S)
CML5626S	Carriage of Goods by Sea (was CML6026S)
CML5631S	Mediation
CML5640F	International Economic Law (was CML6040F)
CML5641S	Commercial Arbitration (was CML6041S)

CML5651F	Individual Employment Law (was CML6051F)
CML5654S	Competition Law (was CML6054S)
CML5655S	Advanced Company Law: Corporate Governance (was CML6055S)
CML5657S	Electronic Intellectual Property Law (was CML6057S)
CML5658S	Electronic Transactions Law (was CML6058S)
CML5660F	Legal Compliance Management (was CML6060F) (<i>Not on offer in 2013</i>)
CML5661W	Tax Law (was CML6061W)
CML5663W	Advanced Tax Law (was CML6063W)
CML5664F	Law and Regional Integration in Africa: Comparative Perspective (was CML6064F)
CML5670F	Advanced Insurance Law (was CML6070F) (<i>Not on offer in 2013</i>)
CML5671F	Negotiation (was CML6071F)
CML5672S	The Legal Aspects of Corporate Financing Structures (was CML6072S)
CML5673S	International Commercial Transactions Law (was CML6073S)
CML5676S	Workplace Discrimination and Equality Law
CML5677F	Islamic Law and Finance (<i>Not on offer in 2013</i>)
CML5678F	Principles of Intellectual Property Law (was RDL5614F)
CML5679F	Developmental Issues in Intellectual Property Law (was RDL5613S) (<i>Not on offer in 2013</i>)
CML5680S	Advanced Intellectual Property Law (<i>Not on offer in 2013</i>)
CML5683F	Comparative Legal Systems
CML5684F	African Law
CML5685S	Common Law
CML5686S	Civil Law
CML5687S	Chinese Law and Investments in Africa
CML5690F	Maritime Law and Marine Insurance (replaces CML5625F and CML5670F)

Thesis, dissertation and research paper codes

CML5600W	Masters in Commercial Law (was CML6000W)
CML5606W	Masters in Commercial Law Dissertation Part (was CML6006W)
CML5607W	Postgraduate Diploma in Law (Labour Law) Research Paper (was CML6007W)
CML5611W	Masters in Tax Law Dissertation Part (was CML6011W)
CML5614W	Masters in Labour Law Dissertation Part (was CML6014W)
CML5615W	Postgraduate Diploma in Law (Tax Law) Research Paper (was CML6015W)
CML5616W	Masters in Shipping Law Dissertation Part (was CML6016W)
CML5617W	Postgraduate Diploma in Law (Shipping Law) Research Paper (was CML6017W)
CML5620W	Postgraduate Diploma in Law (Commercial Law) Research Paper (was CML6020W)
CML5674W	Masters in International Trade Law Dissertation Part (was CML6074W)
CML5681W	Masters in Intellectual Property Law Dissertation Part (was RDL5622W)
CML5682W	Postgraduate Diploma in Law (Intellectual Property Law) Research Paper (was RDL5621W)
CML5688W	Masters in Comparative Law in Africa Dissertation Part
CML5689W	Postgraduate Diploma in Law (Comparative Law in Africa) Research Paper
CML5691S	Intellectual Property Law, Development and Innovation
CML6700W	PhD in Commercial Law (was CML7000W)
CML6701W	LLD in Commercial Law (Thesis) (was CML7001W)
CML6702W	LLD in Commercial Law (Published Work) (was CML7002W)

22 COURSES IN THE FACULTY

Department of Private Law

RDL1003W	Foundations of South African Law
RDL1004H	Comparative Legal History
RDL1006W	Foundations of South African Law (ADP)
RDL1007H	Comparative Legal History (ADP)
RDL1008H	Law of Persons and Family (was RDL1002H)
RDL1009H	Law of Persons and Family (ADP) (was RDL1005H)
RDL2002H	Law of Property
RDL2003H	Law of Succession
RDL3001H	Law of Succession
RDL3002H	African Customary Law
RDL3003H	Law of Delict
RDL3005W	Law of Contract
RDL3006H	Jurisprudence
RDL3008H	Civil Procedure
RDL4005H	African Customary Law
RDL4006H	Jurisprudence

Research components

RDL4301H	RFG: Private Law (was RDL5423H)
RDL4401H	Independent Research Option (was RDL5406H)

Optional courses: Final Level LLB

RDL4101Z	Introduction to American Law (was RDL5034Z)
RDL4102S	Dignity, Equality and Freedom - Fundamental Rights and Fundamental Values (was RDL5035S)
RDL4103H	Selected Studies in Roman Law (was RDL5036F)
RDL4104S	Muslim Personal Law (<i>Not on offer in 2013</i>)
RDL4105F	HIV/Aids, Bioethics and the Law (was RDL5071F)
RDL4106H	Moot Caput (was RDL5418H)
RDL4107S	The South African Law of Delict in Theoretical and Comparative Perspective
RDL4201F	Conflict of Laws (was RDL5000F)
RDL4202H	Unjustified Enrichment and Cession (was RDL5026H)
RDL4203H	Legal Practice (was RDL5030H)
RDL4205H	Private Law and Human Rights (was RDL5038H)

Exchange programme courses

RDL1003F	Foundations of South African Law (Part A)
RDL1003S	Foundations of South African Law (Part B)

Higher postgraduate courses

RDL5615F	Biotechnology and Intellectual Property Law (was RDL6015F) (<i>Not on offer in 2013</i>)
RDL5616F	Legal Pluralism: with Special Reference to Africa (was RDL6016S)
RDL5620S	Advanced Contract Law (was RDL6020S)
RDL5623F	Human Rights and African Customary Law (was RDL6023F) (<i>Not on offer in 2013</i>)
RDL5624F	Human Rights and Private Law

Thesis, dissertation and research paper codes

RDL5606W	Masters in Private Law (was RDL6006W)
RDL6700W	PhD in Private Law (was RDL7003W)
RDL6701W	LLD in Private Law (Thesis) (was RDL7004W)
RDL6702W	LLD in Private Law (Publication) (was RDL7005W)

Department of Public Law

PBL2000W	Constitutional Law
PBL2001H	International Law
PBL2002W	Constitutional Law (ADP)
PBL3000F	Interpretation of Statutes
PBL3001H	International Law
PBL3801W	Criminal Law (was CRJ3001W)
PBL3802H	Criminal Procedure (was CRJ3002H)
PBL4001W	Administrative Law
PBL4801H	Evidence (was CRJ4001H)

Research components

PBL4301H	RFG: Punishment and the Constitution (was PBL5416H)
PBL4302H	RFG: International Criminal Law (was PBL5421H)
PBL4303H	RFG: Public Law (was PBL5439H)
PBL4304H	RFG: Women and the Legal System (was PBL5440H)
PBL4305H	RFG: Environmental Law (was PBL5444H)
PBL4401H	Independent Research Paper (was PBL5401H)
PBL4402H	Independent Research Paper (was PBL5406H)

Optional courses: Final Level LLB

PBL4101F	Environmental Law (Examination) (was PBL5014F)
PBL4102F	European Union Law (was PBL5028F)
PBL4103F	Refugee and Immigration Law (was PBL5030F)
PBL4104S	Constitutional Litigation (was PBL5034S)
PBL4105F	Current Issues in Constitutional Law (was PBL5042F)
PBL4106S	International Human Rights Law and the Constitution (was PBL5043S)
PBL4107H	Moot Caput (was PBL5432H)
PBL4108F	Crime and Criminology (was PBL5822F)

Exchange programme courses

PBL2000F	Constitutional Law (Part A)
PBL2001F	International Law (Part A)
PBL3801F	Criminal Law (Part A) (was CRJ3001F)

Undergraduate Criminology course (for Humanities students only)

PBL2800F	Crime and Deviance in South African Cities
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Humanities Honours in Criminology (for Humanities Honours students only)

PBL4804F	Crime and Criminology (was CRJ4004F) <i>(Not on offer in 2013)</i>
PBL4806H	Research Paper (was CRJ4006X) <i>(Not on offer in 2013)</i>
PBL4807F	Criminal Process <i>(Not on offer in 2013)</i>
PBL4809S	Crime and Social Control in Africa (was CRJ4009S) <i>(Not on offer in 2013)</i>
PBL4810F	Research Methods in Criminology and Criminal Justice <i>(Not on offer in 2013)</i>

Science Master's in Climate change and sustainable development (for Science students only)

PBL5045S	Environmental Law for Non-Lawyers
PBL5046S	Climate, Law and Governance
PBL5047H	Climate Change (Minor Dissertation)

Higher postgraduate courses

PBL5602F	International Law of the Sea (was PBL6002F) <i>(Not on offer in 2013)</i>
PBL5608S	Marine Resources Law (was PBL6008S) <i>(Not on offer in 2013)</i>
PBL5615F	Principles of Public International Law (was PBL6015F)
PBL5618S	International Law on Disputes and the Use of Force (was PBL6018S)

24 COURSES IN THE FACULTY

PBL5619F	International Environmental Law (was PBL6019F)
PBL5622S	Legal Writing (was PBL6022S) (<i>Not on offer in 2013</i>)
PBL5623F	Governing under the Constitution: Law and Practice (was PBL6023S)
PBL5628F	International Rights of the Child (was PBL6028F)
PBL5630S	Marine Pollution Law (was PBL6030S) (<i>Not on offer in 2013</i>)
PBL5631S	International Protection of Human Rights (was PBL6031S)
PBL5633S	Litigating the Bill of Rights (was PBL6033S)
PBL5634F	Human Rights Law (was PBL6034F)
PBL5635S	Administrative Justice (was PBL6035F)
PBL5638S	Law, Science and Ethics (was PBL6038S) (<i>Not on offer in 2013</i>)
PBL5640F	Principles of Environmental Law (was PBL6040F)
PBL5641F	Land Use Planning Law (was PBL6041F)
PBL5642S	Natural Resources Law (was PBL6042S)
PBL5643S	Pollution Law (was PBL6043S)
PBL5644F	Sexual Offences and the Law (was PBL6044S)
PBL5647F	Social Justice, Law and Poverty (was CML6047F)
PBL5648S	Social Justice in Practice (was CML6048S) (<i>Not on offer in 2013</i>)
PBL5651S	International Protection of Women's Human Rights (was PBL6051S)
PBL5652S	Muslim Personal Law and Human Rights (was PBL6052S) (<i>Not on offer in 2013</i>)
PBL5653F	Refugee and Human Rights (was PBL6053F)
PBL5807S	International Criminal Law (was PBL6807S)
PBL5815F	Punishment and Human Rights (was PBL6815S)
PBL5820F	Theories of Crime and Social Order (was PBL6820F)
PBL5822S	Victims and Victimology: Theory, Policy and Practice (was PBL6822S) (<i>Not on offer in 2013</i>)
PBL5844S	Police and Policing: Explorations in Security Governance (Trends in the Governance of Security) (was PBL6844F)
<i>Thesis, dissertation and research paper codes</i>	
PBL5600W	Masters in Public Law (was PBL6000W)
PBL5601W	Masters in Public Law Dissertation Part (was PBL6001W)
PBL5602W	Masters in Constitutional and Administrative Law Dissertation Part (was PBL6002W)
PBL5605W	Postgraduate Diploma in Law (Human Rights Law) Research Paper (was PBL6005W)
PBL5611W	Postgraduate Diploma in Law (Public Law) Research Paper (was PBL6011W)
PBL5624W	Masters in Marine and Environmental Law Dissertation Part (was PBL6024W) (<i>Not on offer in 2013</i>)
PBL5625W	Masters in Constitutional Law Dissertation Part (was PBL6025W)
PBL5626W	Masters in Human Rights Law Dissertation Part (was PBL6026W)
PBL5627W	Masters in International Public Law Dissertation Part (was PBL6027W)
PBL5632W	Postgraduate Diploma in Law (Environmental Law) Research Paper (was PBL6032W)
PBL5649W	Masters in Social Justice Dissertation Part (was PBL6049W) (<i>Not on offer in 2013</i>)
PBL5650W	Postgraduate Diploma in Law (Social Justice) Research Paper (was PBL6050W) (<i>Not on offer in 2013</i>)
PBL5654W	Masters in Environmental Law Dissertation Part (was PBL6054W)
PBL5655W	Postgraduate Diploma in Law (Constitutional and Administrative Law) Research Paper (was PBL6055W)
PBL5656W	Postgraduate Diploma in Law (International Law) Research Paper (was PBL6056W)
PBL5657W	Postgraduate Diploma in Law (Marine and Environmental Law) Research Paper (was PBL6057W) (<i>Not on offer in 2013</i>)

PBL5800W	Masters in Criminology (was PBL6800W)
PBL5802W	Masters in Criminal Justice Dissertation Part (was PBL6802W)
PBL5804W	Postgraduate Diploma in Law (Criminal Justice) Research Paper (was PBL6804W)
PBL5809W	Masters in Criminal Justice (was PBL6809W)
PBL5817W	Masters in International Criminal Justice Dissertation Part (was PBL6817W)
PBL6700W	PhD in Public Law (was PBL7000W)
PBL6701W	LLD in Public Law (Thesis) (was PBL7001W)
PBL6702W	LLD in Public Law (Published Work) (was PBL7002W)
PBL6703W	PhD in Criminal Justice (was PBL7803W)
PBL6704W	PhD in Criminology (was PBL7800W)

Courses offered by other departments

Optional courses: Final Level LLB

ACC1014S	Understanding Financial Statements (<i>Not on offer in 2013</i>)
LAB4008S	Medicina Forensis (was LAB5000S)
SLL1134H	isiXhosa for Law
SLL1135H	Afrikaans Communication for Law

RULES FOR LLB DEGREE STREAMS (up to 2011)

The following are rules for specific study programmes in the Faculty. They must be read in conjunction with the general rules for degrees and diplomas in Book 3: *General Rules and Policies* of the University of Cape Town.

NOTE: The rules in this section apply to all students who registered for the LLB *for the first time up to and including 2011*. Students who registered for the LLB for the first time in 2012 or who repeated the preliminary year in 2012 should refer to the following section, **Rules for LLB Degree Streams (from 2012)**.

Admission and Curriculum Rules

The Basic Legal Education Programme is offered in three streams:

- (a) the three year graduate LLB
- (b) the two year graduate LLB
- (c) the four year undergraduate LLB

Admission requirements for these streams as well as for the combined Law and Humanities and Law and Commerce LLB streams may be found in Book 1: *Undergraduate Prospectus*.

Transferring students

Internal

A UCT student who has not been excluded from another faculty within UCT may be considered for admission to the Faculty of Law for the purpose of taking or completing the LLB degree, provided the applicant satisfies the requirements for admission to the degree programme into which the student would be transferring. Successful applicants may be granted credits or exemptions or both for courses already completed, up to a maximum of four full courses (or the equivalent).

External

A non-UCT student who has not been excluded from another university may be considered for admission to the Faculty of Law, provided the applicant satisfies the requirements for admission to the degree programme into which the student would be transferring. Successful applicants may be granted credits or exemptions or both for courses already completed, up to a maximum of four full courses (or the equivalent). Credits and exemptions will only be granted for courses completed at another institution if the Faculty is satisfied that the courses taken elsewhere are substantially equivalent, in both content and standard, to the courses offered at UCT. Such transferring students will be required to complete the remaining courses prescribed for the degree at this University over a period of not less than two years.

Duration of the streams of the Basic Legal Education programme

- FP1 Subject to the provisions that follow, the curriculum for the four year undergraduate stream of the Basic Legal Education programme will extend over four years; the curriculum for the extended stream will extend over five years.
- FP2 Subject to the provisions that follow, the curriculum for the three year graduate stream of the Basic Legal Education programme will extend over three years; the curriculum for the extended stream will extend over four years.
- FP3 Subject to the provisions that follow, the curriculum for the two year graduate stream of the Basic Legal Education programme will extend over two years; the curriculum for the extended stream will extend over three years.

CURRICULUM REQUIREMENTS:

Graduate LLB stream

FP4.1	The courses prescribed for the LLB degree programme are:	HEQF credits	HEQF level
	PRELIMINARY LEVEL		
	RDL1002H Law of Persons and Marriage	18	5
	RDL1003W Foundations of South African Law	36	5
	RDL1004H Comparative Legal History	18	5
	PBL2000W Constitutional Law	36	7
	PBL2001H International Law	18	7
	RDL2002H Law of Property	18	7
	MAM1013F/S Law That Counts: Quantitative Literacy for Law (unless the candidate has passed the numeracy test – attempted once only – administered by the Law Faculty during the orientation period). Note that candidates admitted to the Intermediate Level are exempted from this course.	18	5
	Total credits for Preliminary Level	162	
	INTERMEDIATE LEVEL		
	CML3001W Corporation Law	36	7
	PBL3801W Criminal Law	36	7
	PBL3802H Criminal Procedure	18	7
	PBL3000F Interpretation of Statutes	18	7
	RDL3001H Law of Succession	18	7
	RDL3003H Law of Delict	18	7
	RDL3005W Law of Contract	36	7
	RDL3008H Civil Procedure	18	7
	DOL3001X Community Service	0	
	Total credits for Intermediate Level	198	
	FINAL LEVEL		
	CML4006W Commercial Transactions Law	36	8
	PBL4801H Evidence	18	8
	PBL4001W Administrative Law	36	8
	RDL4005H African Customary Law	18	8
	RDL4006H Jurisprudence	18	8
	DOL4000H Integrative Assessment Project	0	8
	Research Component	9	8
	Options	22.5	8
	Total credits for Final Level	158	
	Total credits for the graduate LLB programme	518	
FP4.2	The research component and Community Service are compulsory requirements for the degree; the research component is weighted 9 HEQF credits.		
FP4.3	Optional courses in the Final Level of the degree are weighted 9 HEQF credits or 4.5 HEQF credits each.		
FP4.4	A candidate in the Final Level of the degree must choose optional courses totalling a minimum of 22.5 HEQF credits. Although a candidate may register for more than one moot option, only 4.5 of the required 22.5 credits may be acquired by completing a moot option. Students may also write independent research papers in fulfilment of the required total of 22.5 optional credits. These research papers would be in addition to the paper		

28 RULES FOR LLB DEGREE STREAMS (UP TO 2011)

completed for the research component of the degree. Each research paper counts 9 HEQF credits.

- FP4.5 A candidate may undertake additional optional courses amounting to not more than 9 HEQF credits.
- FP4.6 The maximum number of credits for optional courses in the final level is 31.5 credits.
- FP4.7.1 Intermediate Level students may register for RDL4203H Legal Practice (previously Legal Aid and Legal Practice) if
- they have achieved an average of 65% in the Preliminary Level law courses; and
 - the Director of UCT Law Clinic has admitted them into the course.
- FP4.7.2 RDL4203H Legal Practice completed while a student is in the Intermediate Level does not contribute to the fulfilment of the requirements in FP4.4.
- FP4.8 A student from the University of Cape Town coming into the graduate stream of the LLB may be exempted from MAM1013F/S if he or she
- shows in a test prescribed by Senate that he or she has an ability to deal with the numerical problems that arise in law; or
 - shows evidence that he or she has received credit or tested out for MAM1014F course or its equivalent.

NOTE: The Head of Department together with the Faculty member concerned is responsible for deciding whether an approved optional course for which fewer than five students register should be offered.

Four year undergraduate LLB stream

- FP5.1 The curriculum for the four-year, undergraduate LLB stream requires a candidate to complete prescribed law courses and a minimum number of non-law courses as set out below.
- FP5.2 A candidate must –
- show in a test prescribed by Senate that he or she has an ability to deal with the numerical problems that arise in law; or
 - if he or she fails this test, complete the course MAM1013F/S Law That Counts: Quantitative Literacy for Law.
- A candidate may not attempt the numeracy test a second time. Note that candidates admitted to the third (Intermediate) year are exempted from this course.*
- FP5.3 The courses prescribed for the first (Preliminary) year are:
- | | | HEQF credits | HEQF level |
|---|--|---------------------|-------------------|
| RDL1002H | Law of Persons and Marriage | 18 | 5 |
| RDL1003W | Foundations of South African Law | 36 | 5 |
| RDL1004H | Comparative Legal History | 18 | 5 |
| | One English (ELL) course | 18 | 5 |
| | OR SLL1002S Word Power | | |
| MAM1013F/S | Law That Counts: Quantitative Literacy for Law | 18 | 5 |
| AND two semester courses in another faculty | | 36 | 5 |
| | Total credits for first (Preliminary) year | 144 | |

- FP5.3.1 A candidate who has passed the numeracy test must complete an additional semester course offered in another faculty.
- FP5.3.2 A candidate who wishes to take a course in Economics must take both ECO1010F

RULES FOR LLB DEGREE STREAMS (UP TO 2011) 29

Microeconomics and ECO1011S Macroeconomics, must have obtained a minimum D symbol for Mathematics (HG) at senior certificate or a minimum of 5 at national senior certificate or equivalent.

***NOTE:** Students are advised to ascertain the prerequisites for all courses they wish to take in another faculty. In the second year, a candidate is required to take two courses in another faculty at second year level in one discipline (e.g. History). Usually one course (semester) (e.g. in History) is sufficient for admission to second year courses in a discipline. However, if he or she wishes to take English courses in the second year, he or she must take two courses in English, one of which must be ELL1013F English Literary Studies, in the first year.*

FP5.4	The courses prescribed for the second (Preliminary) year are:	HEQF credits	HEQF level
	PBL2000W Constitutional Law	36	7
	PBL2001H International Law	18	7
	RDL2002H Law of Property	18	7
	Two semester courses in a single language, or a whole course in a language.	36	5
	Two 2000-level semester courses in one discipline (e.g. English) offered in another faculty.	48	6
	Total credits for second (Preliminary) year	156	

***NOTE:** Students are advised that the language course should not be in a language in which the student is fluent or one taken for Grade 12, unless it is proposed that the language concerned be taken at a more advanced level than beginner.*

FP5.5	The courses prescribed for the third (Intermediate) year are:	HEQF credits	HEQF level
	CML3001W Corporation Law	36	7
	PBL3801W Criminal Law	36	7
	PBL3802H Criminal Procedure	18	7
	PBL3000F Interpretation of Statutes	18	7
	RDL3001H Law of Succession	18	7
	RDL3003H Law of Delict	18	7
	RDL3005W Law of Contract	36	7
	RDL3008H Civil Procedure	18	7
	DOL3001X Community Service	0	
	DOL3002X Intermediate Year Skills Component	0	
	Total credits for third (Intermediate) year	198	

FP5.6	The courses prescribed for the fourth (Final) year are:	HEQF credits	HEQF level
	CML4006W Commercial Transactions Law	36	8
	PBL4801H Evidence	18	8
	PBL4001W Administrative Law	36	8
	RDL4005H African Customary Law	18	8
	RDL4006H Jurisprudence	18	8
	DOL4000H Integrative Assessment Project	0	8
	Research Component	9	8
	Options	22.5	8
	Total credits for fourth (Final) year	158	
	Total credits for the four-year undergraduate LLB programme	656	

Note: FP4.2– FP4.7 apply also to the undergraduate LLB curriculum.

All streams: skills component

- FP6.1 All streams of the curriculum for the LLB degree have a skills component which forms part of each level of the degree programme. The skills component is compulsory. Candidates in the respective levels of the degree must comply with the requirements of the skills component tasks. For the purposes of design and co-ordination, the four-year LLB stream pattern is used.
- FP6.2 In each academic year the following are included:
- writing skills (including essay work, opinion work and drafting)
 - computer skills
 - problem solving
 - analysis
 - research (including library skills)
 - oral presentation (including preparation for debates, seminars and moots)
- FP6.3 In the FIRST year, there should be emphasis on:
- writing skills
 - problem solving
 - reading skills
- FP6.4 In the SECOND year, there should be emphasis on:
- problem solving
 - analysis including critical analysis
 - oral presentation
- FP6.5 In the THIRD year, in addition to fulfilling course-specific requirements such as assignments and tests every student must:
- write one essay and one opinion
 - participate in a moot
 - attend all tutorials (or submit written work at the discretion of the course convener)
- FP6.6 In the FOURTH year, there should be:
- interviewing
 - an Integrative Assessment Project. This project will test the accumulated skills and ability of students to demonstrate an overall grasp of South African law and how it operates in real life situations by posing a problem which integrates a variety of areas of law taught as separate subjects earlier in the curriculum.

Progress rules for LLB degree streams

Graduate LLB stream

- FP7.1 A candidate who has only *one half course* outstanding from the Preliminary Level may proceed to the Intermediate Level of study and repeat the outstanding half course in that year; and a candidate who has only *one course* (or two half courses) outstanding from the Intermediate Level may proceed to the Final Level of study and repeat the outstanding course (or two half courses) in that year. Additional courses may only be carried with the permission of Senate.

NOTE: Such candidates are advised that they must check lecture timetables to ensure that they do not register for courses inducing clashes either during the year, or in the examinations. Students are required to fulfil all course requirements, including attendance, when repeating a course.

- FP7.2 A candidate who has more than
- (a) one half course outstanding from the Preliminary Level may not register for more than four full courses or the equivalent, which must include the outstanding course(s) from the Preliminary Level; or
 - (b) one course (or two half courses) outstanding from the Intermediate Level may not register for more than four full courses or the equivalent, which must include the outstanding course(s) from the Intermediate Level.

NOTE: With permission of the relevant course convener and provided he or she is representing the Faculty at a national, regional or international moot court competition, a student at Intermediate Level may register for DOL3000X Moot Competition. The credit obtained will not count towards the fulfilment of the requirements of the degree, nor will the mark obtained be considered for purposes of calculating the Intermediate Level average. The mark will be taken into account, however, for purposes of calculating the overall degree average, in accordance with the normal principles governing this calculation.

Combined undergraduate/graduate stream

A student in the combined stream must follow the curriculum as set out below subject to the rules of the Humanities or Commerce Faculties. Please note that students are not permitted to register for senior law courses unless the pre-requisites are met. See the syllabus section in the relevant Faculty handbook for details.

Four year undergraduate LLB stream

- FP8.1 A candidate who has only *one half course* outstanding from the first or second year may proceed, with permission of Senate, to the second or third year respectively and repeat the outstanding half course in that year. *This provision applies in respect of non-law and law courses inclusively.*
- A candidate who has only *one course* (or two half courses) outstanding from the third year may proceed, with permission of Senate, to the fourth year of study and repeat the outstanding course (or two half courses) in that year.

NOTE: Such candidates are advised that they must check lecture timetables to ensure that they do not register for courses inducing clashes either during the year, or in the examinations. Students are required to fulfil all course requirements, including attendance, when repeating a course.

- FP8.2 A candidate who has failed more than one half course in the first or second year, or a candidate who has failed more than one course (or two half courses) in the third year, may not register for the set of courses prescribed for the second, third or final year of study (respectively) but may, nevertheless, register for not more than four full courses or the equivalent, which must include the course(s) outstanding from the previous year of study.

NOTE: With permission of the relevant course convener and provided he or she is representing the Faculty at a national, regional or international moot court competition, a student at Intermediate Level may register for DOL3000X Moot Competition. The credit obtained will not count towards the fulfilment of the requirements of the degree, nor will the mark obtained be considered for purposes of calculating the Intermediate Level average. The mark will be taken into account, however, for purposes of calculating the overall degree average, in accordance with the normal principles governing this calculation.

Extended LLB stream

- FP9.1 Except with permission of Senate, a candidate may not register for any course prescribed for the second year of study unless he or she has completed all the courses prescribed for the first year of study.
- FP9.2 Except with permission of Senate, a candidate may not register for any course prescribed for the third year of study unless he or she has completed all the courses prescribed for the second year of study.
- FP9.3 Except with permission of Senate, a candidate may not register for any course prescribed for the fourth year of study unless he or she has completed all the courses prescribed for the third year of study.
- FP9.4 Except with permission of Senate, a candidate may not register for any course prescribed for the fifth year of study unless he or she has completed all the courses prescribed for the fourth year of study.

Note: With permission of the relevant course convener and provided he or she is representing the Faculty at a national, regional or international moot court competition, a student at Intermediate Level may register for DOL3000X Moot Competition. The credit obtained will not count towards the fulfilment of the requirements of the degree, nor will the mark obtained be considered for purposes of calculating the Intermediate Level average. The mark will be taken into account, however, for purposes of calculating the overall degree average, in accordance with the normal principles governing this calculation.

- FP9.5 Notwithstanding the provisions of Rules FP9.1, FP9.2, FP9.3 and FP9.4, a candidate who has only one half course outstanding from the first, second or third year may proceed, with permission of Senate, to the second, third or fourth year respectively and repeat the outstanding half course in that year. *This provision applies in respect of non-law and law courses inclusively.*
- A candidate who has only one course (or two half courses) outstanding from the fourth year may proceed, with permission of Senate, to the fifth year of study and repeat the outstanding course (or two half courses) in that year.

NOTE: Such candidates are advised that they must check lecture timetables to ensure that they do not register for courses inducing clashes either during the year or in the examinations. Students are required to fulfil all course requirements, including attendance, when repeating a course.

- FP9.6 In addition to the provisions of Rules FP9.1, FP9.2, FP9.3 and FP9.4, a candidate who has failed more than one half course in the first, second or third year, and a candidate who has failed more than one course (or two half courses) in the fourth year, may register for not more than four full courses or the equivalent, which must include all the courses outstanding from the previous year of study.

General progress rules for all streams

Maximum number of courses in any year:

- FP10.1 Except with permission of Senate, a candidate may not register for more than the equivalent of:
- (i) nine half courses at the Preliminary Level
 - (ii) twelve half courses at the Intermediate Level
 - (iii) fourteen half courses at the Final Level.

NOTE: For the purposes of this rule, year 3 of the ADP undergraduate stream is regarded as Preliminary Level.

FP10.2 Notwithstanding FP10.1 a student may take Humanities courses offered in the Summer Term.

Minimum requirements for re-admission:

FP11.1 A candidate may be refused permission to renew his/her registration in the Faculty if he/she fails:

- (i) the equivalent of four half courses or more at any level; or
- (ii) to complete all the courses prescribed for the degree within the prescribed time plus two years.

FP11.2 A student on an extended stream may be refused permission to renew his/her registration in the Faculty if he or she fails the equivalent of three half courses.

NOTE: F16.1 Supplementary examinations rule applies before the FP11 Minimum requirements for re-admission takes effect.

FP12 A student who is refused permission to re-register in the Faculty may appeal to the Faculty Readmission Appeal Committee in accordance with procedures laid down by Senate. The decision of the Faculty Readmission Appeal Committee will be final and will not be subject to further review or appeal.

Absence from examinations:

FP13.1 A student who fails to write the examination in a course for which he or she is registered will be deemed to have failed the course for the purposes of the minimum requirements for re-admission.

FP13.2 Senate may grant permission to a student to write a test on a different day where he or she is unable to write for medical reasons, or has religious objections, or political objections, or other good cause for not writing on the scheduled day or days. The grant of permission is entirely at the discretion of Senate, irrespective of the grounds (including medical) on which the application is made. The application must be made to the Dean within 7 days of the test. Exemption from a test or other course requirement is a concession to depart from degree requirements (see FP20).

Subminimum mark in final examinations:

FP14 A candidate must obtain a sub-minimum of 45% in each University examination in a course in order to obtain credit for that course, subject to Rule FP15.

Oral examinations:

FP15.1 A candidate in his or her final year of study has the right to an oral examination in any course which he or she has failed (because he or she failed to obtain a mark of 50% overall or failed to obtain a mark of 45% in the final examination) if he or she has:

- (i) scored 47% or more overall in that course *and*
- (ii) scored 45% or more in the final examination in that course.

FP15.2 A candidate must be given at least three days' (72 hours) notice of any oral examination.

FP15.3 Where possible, the external examiner will be present at an oral examination. If the external examiner is not able to be present, another examiner external to the course, who may be a member of staff, must be present.

NOTE: Oral examinations may be held over a weekend.

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Supplementary examinations:

- FP16.1 Senate may permit a candidate to write supplementary examinations in the equivalent of three half courses in any one year, provided that:
- (i) he or she has reached a sufficiently high standard when failing such course(s); and
 - (ii) the courses are the only courses failed by him/her in that year.

NOTE: The decision on whether to award a supplementary examination will be taken by Senate on the recommendation of the Head of Department in which the course is offered.

Students who are granted supplementary examinations will be required to re-write the whole formal examination component, including all papers, practicals, etc., which constituted the original formal examination component.

Deferred examinations:

- FP17.1 Deferred examinations on medical or compassionate grounds are considered by a committee established by Senate for this purpose in terms of the general university rules. (see G25.1 in “General Rules for Degrees”, Handbook 3 *General Rules and Policies*). If the deferred examination is granted, the candidate will be required to write only those portions of the original examination which he or she missed.
- FP17.2 Application must be made on the prescribed form obtainable at the Records Office in the Student Administration Building, within seven days from the first examination (written, oral, or practical) which the student missed or was unable to complete.
- FP17.3 A student who becomes ill during an examination must proceed directly from the examination venue to the Student Health Service unless the nature of the illness makes this impossible.
- FP17.4 Misreading of the examination timetable will not be condoned or accepted; neither is it a ground for a deferred examination. (See G18.9 in “General Rules for Degrees”, Handbook 3 *General Rules and Policies*.)

Distinction:

- FP18 The degree may be awarded *cum laude* or *magna cum laude*.
- FP18.1 For the degree to be awarded *cum laude* a candidate must:
- (i) complete the curriculum in the minimum time without failing any course, unless such failure is condoned by Senate;
 - (ii) obtain an average of 70% in all law courses completed at this University; and
 - (iii) obtain a First Class pass in at least six full law courses or the equivalent.
- FP18.2 For the degree to be awarded *magna cum laude* a candidate must:
- (i) complete the curriculum in the minimum time without failing any course, unless such failure is condoned by Senate;
 - (ii) obtain an average of 75% in all law courses completed at this University; and
 - (iii) obtain a First Class pass in at least nine full law courses, or the equivalent.
- FP18.3 In the case of a candidate who has transferred from another university, Senate may in exceptional circumstances depart from the Rules relating to the number of courses for which a First Class pass must be obtained and award a degree *cum laude* or *magna cum laude*. Senate may do so only if, after having reviewed the academic record of the candidate at such other university, Senate is satisfied that the candidate would have fulfilled the requirements for the degree to be so awarded if he or she had completed the degree at this University.

NOTE: For an explanation on how averages are computed, please refer to the entry on “Dean’s Merit List”.

Concurrent registration:

FP19 Except with permission of Senate, a student may not register for any course taken at another university in the same year during which such student is registered at the University of Cape Town.

Deviations from the rules:

FP20 Senate may, on the recommendation of the Dean after consultation with the Head of Department concerned, permit a deviation from the rules governing the curriculum of a student.

A student may apply for such deviation by timeously submitting to the Dean a completed concession application form, obtainable from the Faculty Office.

NOTE: Senate’s authority to permit deviations from the rules governing the curriculum of an LLB student is delegated to the Admissions, Concessions and Credits Committee of the Law Faculty.

Revision of the rules:

FP21 Senate may at any time revise any rule.

Pattern of courses for the LLB degree streams

NOTE: In the absence of compelling circumstances a student may not register for the following optional courses in Intermediate Level:

Revenue Law, Trusts and Estate Planning, Competition Law, Constitutional Litigation, Current Issues in Constitutional Law, Conflict of Laws, Unjustified Enrichment and Cession, Moot Option.

Graduate LLB Main Stream (LP001)

Preliminary Level	Intermediate Level	Final Level
Foundations of SA Law: RDL1003W	Law of Contract: RDL3005W	Administrative Law: PBL4001W
Law of Persons and Marriage: RDL1002H	Law of Succession: RDL3001H	African Customary Law: RDL4005H
Comparative Legal History: RDL1004H	Law of Delict: RDL3003H	Commercial Transactions Law: CML4006W
Constitutional Law: PBL2000W	Criminal Law: PBL3801W	Evidence: PBL4801H
International Law: PBL2001H	Criminal Procedure: PBL3802H	Jurisprudence: RDL4006H
Law of Property: RDL2002H	Civil Procedure: RDL3008H	Research Component
Law That Counts: MAM1013F/S	Corporation Law: CML3001W	Options (22.5 credits)
	Interpretation of Statutes: PBL3000F	Integrative Assessment Project: DOL4000H
	Community Service: DOL3001X	

Graduate LLB Extended Stream / Academic Development Programme (LP002)

Preliminary Level A	Preliminary Level B	Intermediate Level	Final Level
Foundations of South African Law (ADP): RDL1006W	Criminal Law: PBL3801W	Civil Procedure: RDL3008H	Administrative Law: PBL4001W
Law of Persons and Marriage (ADP): RDL1005H	Criminal Procedure: PBL3802H	Law of Contract: RDL3005W	African Customary Law: RDL4005H
Comparative Legal History (ADP): RDL1007H	International Law: PBL2001H	Corporation Law: CML3001W	Commercial Transactions Law: CML4006W
Constitutional Law (ADP): PBL2002W	Law of Property: RDL2002H	Law of Delict: RDL3003H	Evidence: PBL4801H
Law That Counts: MAM1013F	Interpretation of Statutes: PBL3000F	Options (13.5 credits)	Jurisprudence: RDL4006H
	Law of Succession: RDL3001H	Community Service: DOL3001X	Options (9 credits)
		Intermediate Year Skills Component: DOL3002X	Research Component
			Integrative Assessment Project: DOL4000H

Combined Undergraduate / Graduate LLB Main Stream (LP001)

Preliminary completed in BA, BCom, etc.	Intermediate Level	Final Level
Foundations of SA Law: RDL1003W	Law of Contract: RDL3005W	Administrative Law: PBL4001W
Law of Persons and Marriage: RDL1002H	Law of Succession: RDL3001H	African Customary Law: RDL4005H
Comparative Legal History: RDL1004H	Law of Delict: RDL3003H	Commercial Transactions Law: CML4006W
Constitutional Law: PBL2000W	Criminal Law: PBL3801W	Evidence: PBL4801H
International Law: PBL2001H	Criminal Procedure: PBL3802H	Jurisprudence: RDL4006H
Law of Property: RDL2002H	Civil Procedure: RDL3008H	Research Component
	Corporation Law: CML3001W	Options (22.5 credits)
	Interpretation of Statutes: PBL3000F	Integrative Assessment Project: DOL4000H
	Community Service: DOL3001X	

NOTE: Admission to the graduate part of this stream is NOT automatic and it is subject to the admission requirements as set out in Book 1: Undergraduate Prospectus.

Combined Undergraduate / Graduate LLB Extended Stream

Preliminary completed in BA, BCom, etc.	Intermediate Level A	Intermediate Level B	Final Level
Foundations of SA Law: RDL1003W	Law of Contract: RDL3005W	Corporation Law: CML3001W	Administrative Law: PBL4001W
Law of Persons and Marriage: RDL1002H	Criminal Law: PBL3801W	Civil Procedure: RDL3008H	African Customary Law: RDL4005H
Comparative Legal History: RDL1004H	Interpretation of Statutes: PBL3000F	Criminal Procedure: PBL3802H	Evidence: PBL4801H
Constitutional Law: PBL2000W	Law of Succession: RDL3001H	Law of Delict: RDL3003H	Jurisprudence: RDL4006H
International Law: PBL2001H		Options (13.5 credits)	Commercial Transactions Law: CML4006W
Law of Property: RDL2002H		Community Service: DOL3001X	Options (9 credits)
			Research Component
			Integrative Assessment Project: DOL4000H

Four Year Undergraduate LLB Main Stream (LB002)

Preliminary Level A	Preliminary Level B	Intermediate Level	Final Level
Foundations of SA Law: RDL1003W	Constitutional Law: PBL2000W	Criminal Law: PBL3801W	Administrative Law: PBL4001W
Law of Persons and Marriage: RDL1002H	International Law: PBL2001H	Criminal Procedure: PBL3802H	African Customary Law: RDL4005H
Comparative Legal History: RDL1004H	Law of Property: RDL2002H	Civil Procedure: RDL3008H	Commercial Transactions Law: CML4006W
ELL course(s) * or Word Power	Language option (1st and 2nd semester)	Corporation Law: CML3001W	Evidence: PBL4801H
Non-law option (1st and 2nd semester) **	2000-level non-law option (1st and 2nd semester)	Interpretation of Statutes: PBL3000F	Jurisprudence: RDL4006H
Law That Counts: Quantitative Literacy for Law: MAM1013F/S		Law of Contract: RDL3005W	Research Component
		Law of Succession: RDL3001H	Options (22.5 credits)
		Law of Delict: RDL3003H	Integrative Assessment Project: DOL4000H
		Community Service: DOL3001X	
		Intermediate Year Skills Component: DOL3002X	

NOTE: Non-law components are drawn from the Law and Humanities programme. See Rule FP5 for details.

* Candidates who wish to take English in Year 2 must register for two semester courses in English in Year 1, one of which must be ELL1013F.

** Candidates who wish to take Economics and who meet the entrance requirements for Economics courses (minimum D symbol HG Mathematics or 5 on national senior certificate), take ECO1010F/ECO1011S.

Undergraduate LLB Academic Development Programme (LB003)

Year 1	Year 2	Year 3	Year 4	Year 5
Foundations of South African Law (ADP): RDL1006W	Comparative Legal History (ADP): RDL1007H	Criminal Law: PBL3801W	Corporation Law: CML3001W	Administrative Law: PBL4001W
Law of Persons & Marriage (ADP): RDL1005H	Constitutional Law (ADP): PBL2002W	Law of Property: RDL2002H	Law of Succession: RDL3001H	Commercial transactions Law: CML4006W
Word Power (2nd semester)	Non-law option (1st and 2nd semester) *	International Law: PBL2001H	Civil Procedure: RDL3008H	Evidence: PBL4801H
Law That Counts: MAM1013F		2000-level non-law option (1st and 2nd semester) *	Criminal Procedure: PBL3802H	Jurisprudence: RDL4006H
		Language option (1st and 2nd semester)	Law of Contract: RDL3005W	African Customary Law: RDL4005H
			Law of Delict: RDL3003H	Options (22.5 credits)
			Interpretation of Statutes: PBL3000F	Research Component
			Community Service: DOL3001X	Integrative Assessment Project: DOL4000H
			Intermediate Year Skills Component: DOL3002X	

NOTE: Non-law components are drawn from the Law and Humanities programme. See Rule FP5 for details.

* Candidates must ensure that their first year non-law choices enable them to proceed to their second year non-law choices. The prerequisites for the second year course should be checked with the appropriate Faculty.

RULES FOR LLB DEGREE STREAMS (from 2012)

The following are rules for specific study programmes in the Faculty. They must be read in conjunction with the general rules for degrees and diplomas in Book 3: *General Rules and Policies* of the University of Cape Town.

NOTE: The rules in this section apply to all students who registered for the LLB *for the first time in 2012 or who are repeated the preliminary year in 2012*. Students who registered for the LLB for the first time up to and including 2011 should refer to the previous section, **Rules for LLB Degree Streams (up to 2011)**.

Admission and Curriculum Rules

The Basic Legal Education Programme is offered in three streams:

- (a) the three year graduate LLB
- (b) the two year graduate LLB
- (c) the four year undergraduate LLB

Admission requirements for these streams as well as for the combined Law and Humanities and Law and Commerce LLB streams may be found in Book 1: *Undergraduate Prospectus*.

Transferring students

Internal

A UCT student who has not been excluded from another faculty within UCT may be considered for admission to the Faculty of Law for the purpose of taking or completing the LLB degree, provided the applicant satisfies the requirements for admission to the degree programme into which the student would be transferring. Successful applicants may be granted credits or exemptions or both for courses already completed, up to a maximum of four full courses (or the equivalent).

External

A non-UCT student who has not been excluded from another university may be considered for admission to the Faculty of Law, provided the applicant satisfies the requirements for admission to the degree programme into which the student would be transferring. Successful applicants may be granted credits or exemptions or both for courses already completed, up to a maximum of four full courses (or the equivalent). Credits and exemptions will only be granted for courses completed at another institution if the Faculty is satisfied that the courses taken elsewhere are substantially equivalent, in both content and standard, to the courses offered at UCT. Such transferring students will be required to complete the remaining courses prescribed for the degree at this University over a period of not less than two years.

Duration of the streams of the Basic Legal Education programme

- FP1 Subject to the provisions that follow, the curriculum for the four year undergraduate stream of the Basic Legal Education programme will extend over four years; the curriculum for the extended stream will extend over five years.
- FP2 Subject to the provisions that follow, the curriculum for the three year graduate stream of the Basic Legal Education programme will extend over three years; the curriculum for the extended stream will extend over four years.
- FP3 Subject to the provisions that follow, the curriculum for the two year graduate stream of the Basic Legal Education programme will extend over two years; the curriculum for the extended stream will extend over three years.

CURRICULUM REQUIREMENTS:

Graduate LLB stream

FP4.1	The courses prescribed for the LLB degree programme are:	HEQF credits	HEQF level
	PRELIMINARY LEVEL		
	RDL1003W Foundations of South African Law	36	5
	RDL1004H Comparative Legal History	18	5
	RDL1008H Law of Persons and Family	18	5
	PBL2000W Constitutional Law	36	7
	RDL2002H Law of Property	18	7
	RDL2003H Law of Succession	18	7
	MAM1013F/S Law That Counts: Quantitative Literacy for Law (unless the candidate has passed the numeracy test – attempted once only – administered by the Law Faculty during the orientation period). Note that candidates admitted to the Intermediate Level are exempted from this course.	18	5
	Total credits for Preliminary Level	162	
	INTERMEDIATE LEVEL		
	CML3001W Corporation Law	36	7
	PBL3001H International Law	18	7
	PBL3801W Criminal Law	36	7
	RDL3002H African Customary Law	18	7
	RDL3003H Law of Delict	18	7
	RDL3005W Law of Contract	36	7
	RDL3006H Jurisprudence	18	7
	DOL3001X Community Service	0	
	DOL3002X Intermediate Year Skills Component	0	
	Total credits for Intermediate Level	180	
	FINAL LEVEL		
	CML4004H Labour Law	18	8
	CML4006W Commercial Transactions Law	36	8
	PBL4001W Administrative Law	36	8
	PBL4801H Evidence	18	8
	PBL4802H Criminal Procedure	18	8
	RDL4008H Civil Procedure	18	8
	DOL4000H Integrative Assessment Project	0	8
	Research Component (elective courses and research paper)	36	8
	Total credits for Final Level	180	
	Total credits for the graduate LLB programme	522	
FP4.2	The research component and Community Service are compulsory requirements for the degree; the research component is weighted 36 HEQF credits.		
FP4.3	Elective courses in the Final Level of the degree are weighted 9 HEQF credits each.		
FP4.4	A candidate in the Final Level of the degree must choose elective courses totalling a minimum of 36 HEQF credits. Two kinds of electives are on offer: lectures-and-examination electives and seminars-and-research-paper electives. Every Final Level student must do at least one seminars-and-research-paper elective, but any student may do an Independent Research Paper of 8000 words instead of the seminars-and-research-		

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paper elective.

- FP4.5 A candidate may undertake additional elective courses amounting to not more than 18 HEQF credits.
- FP4.6 The maximum number of credits for elective courses in the Final Level is 54 credits.
- FP4.7.1 Intermediate Level students may register for RDL4203H Legal Practice (previously Legal Aid and Legal Practice) if
- (i) they have achieved an average of 65% in the Preliminary Level law courses; and
 - (ii) the Director of UCT Law Clinic has admitted them into the course.
- FP4.7.2 RDL4203H Legal Practice completed while a student is in the Intermediate Level does not contribute to the fulfilment of the requirements in FP4.4.
- FP4.8 A student from the University of Cape Town coming into the graduate stream of the LLB may be exempted from MAM1013F/S if he or she
- (i) shows in a test prescribed by Senate that he or she has an ability to deal with the numerical problems that arise in law; or
 - (ii) shows evidence that he or she has received credit or tested out for MAM1014F course or its equivalent.

NOTE: The Head of Department together with the Faculty member concerned is responsible for deciding whether an approved optional course for which fewer than five students register should be offered.

Four year undergraduate LLB stream

- FP5.1 The curriculum for the four-year, undergraduate LLB stream requires a candidate to complete prescribed law courses and a minimum number of non-law courses as set out below.
- FP5.2 A candidate must –
- (a) show in a test prescribed by Senate that he or she has an ability to deal with the numerical problems that arise in law; or
 - (b) if he or she fails this test, complete the course MAM1013F/S Law That Counts: Quantitative Literacy for Law.
- A candidate may not attempt the numeracy test a second time. Note that candidates admitted to the third (Intermediate) year are exempted from this course.*

FP5.3	The courses prescribed for the first (Preliminary) year are:	HEQF credits	HEQF level
	RDL1003W Foundations of South African Law	36	5
	RDL1004H Comparative Legal History	18	5
	RDL1008H Law of Persons and Family	18	5
	One English (ELL) course	18	5
	OR SLL1002S Word Power		
	MAM1013F/S Law That Counts: Quantitative Literacy for Law	18	5
	AND two semester courses in another faculty	36	5
	Total credits for first (Preliminary) year	144	

- FP5.3.1 A candidate who has passed the numeracy test must complete an additional semester course offered in another faculty.
- FP5.3.2 A candidate who wishes to take a course in Economics must take both ECO1010F Microeconomics and ECO1011S Macroeconomics, must have obtained a minimum D symbol for Mathematics (HG) at senior certificate or a minimum of 5 at national senior

certificate or equivalent.

NOTE: Students are advised to ascertain the prerequisites for all courses they wish to take in another faculty. In the second year, a candidate is required to take two courses in another faculty at second year level in one discipline (e.g. History). Usually one course (semester) (e.g. in History) is sufficient for admission to second year courses in a discipline. However, if he or she wishes to take English courses in the second year, he or she must take two courses in English, one of which must be ELL1013F English Literary Studies, in the first year.

FP5.4	The courses prescribed for the second (Preliminary) year are:	HEQF credits	HEQF level
	PBL2000W Constitutional Law	36	7
	RDL2002H Law of Property	18	7
	RDL2003H Law of Succession	18	7
	Two semester courses in a single language, or a whole course in a language.	36	5
	Two 2000-level semester courses in one discipline (e.g. English) offered in another faculty.	48	6
	Total credits for second (Preliminary) year	156	

NOTE: Students are advised that the language course should not be in a language in which the student is fluent or one taken for Grade 12, unless it is proposed that the language concerned be taken at a more advanced level than beginner.

FP5.5	The courses prescribed for the third (Intermediate) year are:	HEQF credits	HEQF level
	CML3001W Corporation Law	36	7
	PBL3001H International Law	18	7
	PBL3801W Criminal Law	36	7
	RDL3002H African Customary Law	18	7
	RDL3003H Law of Delict	18	7
	RDL3005W Law of Contract	36	7
	RDL3006H Jurisprudence	18	7
	DOL3001X Community Service	0	
	DOL3002X Intermediate Year Skills Component	0	
	Total credits for third (Intermediate) year	180	

FP5.6	The courses prescribed for the fourth (Final) year are:	HEQF credits	HEQF level
	CML4004H Labour Law	18	8
	CML4006W Commercial Transactions Law	36	8
	PBL4001W Administrative Law	36	8
	PBL4801H Evidence	18	8
	PBL4802H Criminal Procedure	18	8
	RDL4008H Civil Procedure	18	8
	DOL4000H Integrative Assessment Project	0	8
	Research Component (elective courses and research paper)	36	8
	Total credits for fourth (Final) year	180	
	Total credits for the four-year undergraduate LLB programme	660	

Note: FP4.2–FP4.7 apply also to the undergraduate LLB curriculum.

All streams: skills component

- FP6.1 All streams of the curriculum for the LLB degree have a skills component which forms part of each level of the degree programme. The skills component is compulsory. Candidates in the respective levels of the degree must comply with the requirements of the skills component tasks. For the purposes of design and co-ordination, the four-year LLB stream pattern is used.
- FP6.2 In each academic year the following are included:
- writing skills (including essay work, opinion work and drafting)
 - computer skills
 - problem solving
 - analysis
 - research (including library skills)
 - oral presentation (including preparation for debates, seminars and moots)
- FP6.3 In the FIRST year, there should be emphasis on:
- writing skills
 - problem solving
 - reading skills
- FP6.4 In the SECOND year, there should be emphasis on:
- problem solving
 - analysis including critical analysis
 - oral presentation
- FP6.5 In the THIRD year, in addition to fulfilling course-specific requirements such as assignments and tests every student must:
- write one essay and one opinion
 - participate in a moot
 - attend all tutorials (or submit written work at the discretion of the course convener)
- FP6.6 In the FOURTH year, there should be:
- interviewing
 - an Integrative Assessment Project. This project will test the accumulated skills and ability of students to demonstrate an overall grasp of South African law and how it operates in real life situations by posing a problem which integrates a variety of areas of law taught as separate subjects earlier in the curriculum.

Progress rules for LLB degree streams

Graduate LLB stream

- FP7.1 A candidate who has only *one half course* outstanding from the Preliminary Level may proceed to the Intermediate Level of study and repeat the outstanding half course in that year; and a candidate who has only *one course* (or two half courses) outstanding from the Intermediate Level may proceed to the Final Level of study and repeat the outstanding course (or two half courses) in that year. Additional courses may only be carried with the permission of Senate.

NOTE: Such candidates are advised that they must check lecture timetables to ensure that they do not register for courses inducing clashes either during the year, or in the examinations. Students are required to fulfil all course requirements, including attendance, when repeating a course.

- FP7.2 A candidate who has more than
- (a) one half course outstanding from the Preliminary Level may not register for more than four full courses or the equivalent, which must include the outstanding course(s) from the Preliminary Level; or
 - (b) one course (or two half courses) outstanding from the Intermediate Level may not register for more than four full courses or the equivalent, which must include the outstanding course(s) from the Intermediate Level.

NOTE: With permission of the relevant course convener and provided he or she is representing the Faculty at a national, regional or international moot court competition, a student at Intermediate Level may register for DOL3000X Moot Competition. The credit obtained will not count towards the fulfilment of the requirements of the degree, nor will the mark obtained be considered for purposes of calculating the Intermediate Level average. The mark will be taken into account, however, for purposes of calculating the overall degree average, in accordance with the normal principles governing this calculation.

Combined undergraduate/graduate stream

A student in the combined stream must follow the curriculum as set out below subject to the rules of the Humanities or Commerce Faculties. Please note that students are not permitted to register for senior law courses unless the pre-requisites are met. See the syllabus section in the relevant Faculty handbook for details.

Four year undergraduate LLB stream

- FP8.1 A candidate who has only *one half course* outstanding from the first or second year may proceed, with permission of Senate, to the second or third year respectively and repeat the outstanding half course in that year. *This provision applies in respect of non-law and law courses inclusively.*

A candidate who has only *one course* (or two half courses) outstanding from the third year may proceed, with permission of Senate, to the fourth year of study and repeat the outstanding course (or two half courses) in that year.

NOTE: Such candidates are advised that they must check lecture timetables to ensure that they do not register for courses inducing clashes either during the year, or in the examinations. Students are required to fulfil all course requirements, including attendance, when repeating a course.

- FP8.2 A candidate who has failed more than one half course in the first or second year, or a candidate who has failed more than one course (or two half courses) in the third year, may not register for the set of courses prescribed for the second, third or final year of study (respectively) but may, nevertheless, register for not more than four full courses or the equivalent, which must include the course(s) outstanding from the previous year of study.

NOTE: With permission of the relevant course convener and provided he or she is representing the Faculty at a national, regional or international moot court competition, a student at Intermediate Level may register for DOL3000X Moot Competition. The credit obtained will not count towards the fulfilment of the requirements of the degree, nor will the mark obtained be considered for purposes of calculating the Intermediate Level average. The mark will be taken into account, however, for purposes of calculating the overall degree average, in accordance with the normal principles governing this calculation.

Extended LLB stream

- FP9.1 Except with permission of Senate, a candidate may not register for any course prescribed for the second year of study unless he or she has completed all the courses prescribed for the first year of study.
- FP9.2 Except with permission of Senate, a candidate may not register for any course prescribed for the third year of study unless he or she has completed all the courses prescribed for the second year of study.
- FP9.3 Except with permission of Senate, a candidate may not register for any course prescribed for the fourth year of study unless he or she has completed all the courses prescribed for the third year of study.
- FP9.4 Except with permission of Senate, a candidate may not register for any course prescribed for the fifth year of study unless he or she has completed all the courses prescribed for the fourth year of study.

***Note:** With permission of the relevant course convener and provided he or she is representing the Faculty at a national, regional or international moot court competition, a student at Intermediate Level may register for DOL3000X Moot Competition. The credit obtained will not count towards the fulfilment of the requirements of the degree, nor will the mark obtained be considered for purposes of calculating the Intermediate Level average. The mark will be taken into account, however, for purposes of calculating the overall degree average, in accordance with the normal principles governing this calculation.*

- FP9.5 Notwithstanding the provisions of Rules FP9.1, FP9.2, FP9.3 and FP9.4, a candidate who has only one half course outstanding from the first, second or third year may proceed, with permission of Senate, to the second, third or fourth year respectively and repeat the outstanding half course in that year. *This provision applies in respect of non-law and law courses inclusively.*
- A candidate who has only one course (or two half courses) outstanding from the fourth year may proceed, with permission of Senate, to the fifth year of study and repeat the outstanding course (or two half courses) in that year.

***NOTE:** Such candidates are advised that they must check lecture timetables to ensure that they do not register for courses inducing clashes either during the year or in the examinations. Students are required to fulfil all course requirements, including attendance, when repeating a course.*

- FP9.6 In addition to the provisions of Rules FP9.1, FP9.2, FP9.3 and FP9.4, a candidate who has failed more than one half course in the first, second or third year, and a candidate who has failed more than one course (or two half courses) in the fourth year, may register for not more than four full courses or the equivalent, which must include all the courses outstanding from the previous year of study.

General progress rules for all streams

Maximum number of courses in any year:

- FP10.1 Except with permission of Senate, a candidate may not register for more than the equivalent of:
- (i) nine half courses at the Preliminary Level
 - (ii) twelve half courses at the Intermediate Level
 - (iii) fourteen half courses at the Final Level.

NOTE: For the purposes of this rule, year 3 of the ADP undergraduate stream is regarded as Preliminary Level.

- FP10.2 Notwithstanding FP10.1 a student may take Humanities courses offered in the Summer Term.

Minimum requirements for re-admission:

- FP11.1 A candidate may be refused permission to renew his/her registration in the Faculty if he/she fails:
- (i) the equivalent of four half courses or more at any level; or
 - (ii) to complete all the courses prescribed for the degree within the prescribed time plus two years.

- FP11.2 A student on an extended stream may be refused permission to renew his/her registration in the Faculty if he or she fails the equivalent of three half courses.

NOTE: F16.1 Supplementary examinations rule applies before the FP11 Minimum requirements for re-admission takes effect.

- FP12 A student who is refused permission to re-register in the Faculty may appeal to the Faculty Readmission Appeal Committee in accordance with procedures laid down by Senate. The decision of the Faculty Readmission Appeal Committee will be final and will not be subject to further review or appeal.

Absence from examinations:

- FP13.1 A student who fails to write the examination in a course for which he or she is registered will be deemed to have failed the course for the purposes of the minimum requirements for re-admission.

- FP13.2 Senate may grant permission to a student to write a test on a different day where he or she is unable to write for medical reasons, or has religious objections, or political objections, or other good cause for not writing on the scheduled day or days. The grant of permission is entirely at the discretion of Senate, irrespective of the grounds (including medical) on which the application is made. The application must be made to the Dean within 7 days of the test. Exemption from a test or other course requirement is a concession to depart from degree requirements (see FP20).

Subminimum mark in final examinations:

- FP14 A candidate must obtain a sub-minimum of 45% in each University examination in a course in order to obtain credit for that course, subject to Rule FP15.

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Oral examinations:

- FP15.1 A candidate in his or her final year of study has the right to an oral examination in any course which he or she has failed (because he or she failed to obtain a mark of 50% overall or failed to obtain a mark of 45% in the final examination) if he or she has:
- (i) scored 47% or more overall in that course *and*
 - (ii) scored 45% or more in the final examination in that course.
- FP15.2 A candidate must be given at least three days' (72 hours) notice of any oral examination.
- FP15.3 Where possible, the external examiner will be present at an oral examination. If the external examiner is not able to be present, another examiner external to the course, who may be a member of staff, must be present.

NOTE: *Oral examinations may be held over a weekend.*

Supplementary examinations:

- FP16.1 Senate may permit a candidate to write supplementary examinations in the equivalent of three half courses in any one year, provided that:
- (i) he or she has reached a sufficiently high standard when failing such course(s); and
 - (ii) the courses are the only courses failed by him/her in that year.

NOTE: *The decision on whether to award a supplementary examination will be taken by Senate on the recommendation of the Head of Department in which the course is offered.*

Students who are granted supplementary examinations will be required to re-write the whole formal examination component, including all papers, practicals, etc., which constituted the original formal examination component.

Deferred examinations:

- FP17.1 Deferred examinations on medical or compassionate grounds are considered by a committee established by Senate for this purpose in terms of the general university rules. (see G25.1 in "General Rules for Degrees", Handbook 3 *General Rules and Policies*). If the deferred examination is granted, the candidate will be required to write only those portions of the original examination which he or she missed.
- FP17.2 Application must be made on the prescribed form obtainable at the Records Office in the Student Administration Building, within seven days from the first examination (written, oral, or practical) which the student missed or was unable to complete.
- FP17.3 A student who becomes ill during an examination must proceed directly from the examination venue to the Student Health Service unless the nature of the illness makes this impossible.
- FP17.4 Misreading of the examination timetable will not be condoned or accepted; neither is it a ground for a deferred examination. (See G18.9 in "General Rules for Degrees", Handbook 3 *General Rules and Policies*.)

Distinction:

- FP18 The degree may be awarded *cum laude or magna cum laude*.
- FP18.1 For the degree to be awarded *cum laude* a candidate must:
- (i) complete the curriculum in the minimum time without failing any course, unless such failure is condoned by Senate;
 - (ii) obtain an average of 70% in all law courses completed at this University; and
 - (iii) obtain a First Class pass in at least six full law courses or the equivalent.

- FP18.2 For the degree to be awarded *magna cum laude* a candidate must:
- (i) complete the curriculum in the minimum time without failing any course, unless such failure is condoned by Senate;
 - (ii) obtain an average of 75% in all law courses completed at this University; and
 - (iii) obtain a First Class pass in at least nine full law courses, or the equivalent.
- FP18.3 In the case of a candidate who has transferred from another university, Senate may in exceptional circumstances depart from the Rules relating to the number of courses for which a First Class pass must be obtained and award a degree *cum laude* or *magna cum laude*. Senate may do so only if, after having reviewed the academic record of the candidate at such other university, Senate is satisfied that the candidate would have fulfilled the requirements for the degree to be so awarded if he or she had completed the degree at this University.

NOTE: For an explanation on how averages are computed, please refer to the entry on "Dean's Merit List".

Concurrent registration:

- FP19 Except with permission of Senate, a student may not register for any course taken at another university in the same year during which such student is registered at the University of Cape Town.

Deviations from the rules:

- FP20 Senate may, on the recommendation of the Dean after consultation with the Head of Department concerned, permit a deviation from the rules governing the curriculum of a student.
- A student may apply for such deviation by timeously submitting to the Dean a completed concession application form, obtainable from the Faculty Office.
- NOTE: Senate's authority to permit deviations from the rules governing the curriculum of an LLB student is delegated to the Admissions, Concessions and Credits Committee of the Law Faculty.*

Revision of the rules:

- FP21 Senate may at any time revise any rule.

Pattern of courses for the LLB degree streams

NOTE: In the absence of compelling circumstances a student may not register for the following optional courses in Intermediate Level:

Revenue Law, Trusts and Estate Planning, Competition Law, Constitutional Litigation, Current Issues in Constitutional Law, Conflict of Laws, Unjustified Enrichment and Cession, Moot Option.

Graduate LLB Main Stream (LP001)

Preliminary Level	Intermediate Level	Final Level
Foundations of SA Law: RDL1003W	Corporation Law: CML3001W	Labour Law: CML4004H
Comparative Legal History: RDL1004H	International Law PBL3001H	Commercial Transactions Law: CML4006W
Law of Persons and Family: RDL1008H	Criminal Law: PBL3801W	Administrative Law: PBL4001W
Constitutional Law: PBL2000W	African Customary Law: RDL3002H	Evidence: PBL4801H
Law of Property: RDL2002H	Law of Delict: RDL3003H	Criminal Procedure: PBL4802H
Law of Succession: RDL2003H	Law of Contract: RDL3005W	Civil Procedure: RDL4008H
Law That Counts: MAM1013F/S	Jurisprudence: RDL3006H	Integrative Assessment Project: DOL4000H
	Community Service: DOL3001X	Research Component (36 credits)
	Intermediate Year Skills Component: DOL3002X	

Graduate LLB Extended Stream / Academic Development Programme (LP002)

Year 1	Year 2	Year 3	Year 4
Foundations of South African Law (ADP): RDL1006W	Law of Property: RDL2002H	Corporation Law: CML3001W	Labour Law: CML4004H
Comparative Legal History (ADP): RDL1007H	Law of Succession: RDL2003H	Law of Contract: RDL3005W	Administrative Law: PBL4001W
Law of Persons & Family (ADP): RDL1009H	International Law: PBL3001H	Jurisprudence: RDL3006H	Evidence: PBL4801H
Constitutional Law (ADP): PBL2002W	Criminal Law: PBL3801W	Commercial Transactions Law: CML4006W	Criminal Procedure: PBL4802H
Law That Counts: MAM1013F	African Customary Law: RDL3002H	Research Component (9 credits)	Civil Procedure: RDL4008H
	Law of Delict: RDL3003H	Community Service DOL3001X	Integrative Assessment Project: DOL4000H
		Intermediate Year Skills Component: DOL3002X	Research Component (27 credits)

Combined Undergraduate / Graduate LLB Main Stream (LP001)

Preliminary completed in BA, BCom, etc.	Intermediate Level	Final Level
Foundations of SA Law: RDL1003W	Corporation Law: CML3001W	Labour Law: CML4004H
Comparative Legal History: RDL1004H	International Law: PBL3001H	Commercial Transactions Law: CML4006W
Law of Persons and Family: RDL1008H	Criminal Law: PBL3801W	Administrative Law: PBL4001W
Constitutional Law: PBL2000W	African Customary Law: RDL3002H	Evidence: PBL4801H
Law of Property: RDL2002H	Law of Delict: RDL3003H	Criminal Procedure: PBL4802H
Law of Succession: RDL2003H	Law of Contract: RDL3005W	Civil Procedure: RDL4008H
	Jurisprudence: RDL3006H	Integrative Assessment Project: DOL4000H
	Community Service: DOL3001X	Research Component (36 credits)
	Intermediate Year Skills Component: DOL3002X	

NOTE: Admission to the graduate part of this stream is NOT automatic and it is subject to the admission requirements as set out in Book 1: Undergraduate Prospectus.

Combined Undergraduate / Graduate LLB Extended Stream

Preliminary completed in BA, BCom, etc.	Intermediate Level A	Intermediate Level B	Final Level
Foundations of SA Law: RDL1003W	International Law: PBL3001H	Corporation Law: CML3001W	Labour Law: CML4004H
Law of Persons and Family: RDL1008H	Criminal Law: PBL3801W	African Customary Law: RDL3002H	Administrative Law: PBL4001W
Comparative Legal History: RDL1004H	Law of Contract: RDL3005W	Jurisprudence: RDL3006H	Evidence: PBL4801H
Constitutional Law: PBL2000W	Law of Delict: RDL3003H	Commercial Transactions Law: CML4006W	Criminal Procedure: PBL4802H
Law of Property: RDL2002H		Research Component (9 credits)	Civil Procedure: RDL4008H
Law of Succession: RDL2003H		Community Service DOL3001X	Research Component (27 credits)
		Intermediate Year Skills Component: DOL3002X	Integrative Assessment Project: DOL4000H

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Four Year Undergraduate LLB Main Stream (LB002)

Preliminary Level A	Preliminary Level B	Intermediate Level	Final Level
Foundations of SA Law: RDL1003W	Constitutional Law: PBL2000W	Corporation Law: CML3001W	Labour Law: CML4004H
Comparative Legal History: RDL1004H	Law of Property: RDL2002H	International Law: PBL3001H	Commercial Transactions Law: CML4006W
Law of Persons and Family: RDL1008H	Law of Succession: RDL2003H	Criminal Law: PBL3801W	Administrative Law: PBL4001W
ELL course(s) * or Word Power	Language option (1st and 2nd semester)	African Customary Law: RDL3002H	Evidence: PBL4801H
Non-law option (1st and 2nd semester) **	2000-level non-law option (1st and 2nd semester)	Law of Delict: RDL3003H	Criminal Procedure: PBL4802H
Law That Counts MAM1013F/S		Law of Contract: RDL3005W	Civil Procedure: RDL4008H
		Jurisprudence: RDL3006H	Integrative Assessment Project: DOL4000H
		Community Service: DOL3001X	Research Component (36 credits)
		Intermediate Year Skills Component: DOL3002X	

NOTE: Non-law components are drawn from the Law and Humanities programme. See Rule FP5 for details.

* Candidates who wish to take English in Year 2 must register for two semester courses in English in Year 1, one of which must be ELL1013F.

** Candidates who wish to take Economics and who meet the entrance requirements for Economics courses (minimum D symbol HG Mathematics or 5 on national senior certificate), take ECO1010F/ECO1011S.

Undergraduate LLB Academic Development Programme (LB003)

Year 1	Year 2	Year 3	Year 4	Year 5
Foundations of South African Law (ADP): RDL1006W	Comparative Legal History (ADP): RDL1007H	Criminal Law: PBL3801W	Corporation Law: CML3001W	Labour Law: CML4004H
Law of Persons & Family (ADP): RDL1009H	Constitutional Law (ADP): PBL2002W	Law of Property: RDL2002H	International Law: PBL3001H	Commercial Transactions Law: CML4006W
Word Power (2nd semester)	Non-law option (1st and 2nd semester) *	Law of Succession: RDL2003H	African Customary Law: RDL3002H	Administrative Law: PBL4001W
Law That Counts: MAM1013F		2000-level non-law option (1st and 2nd semester) *	Law of Delict: RDL3003H	Evidence: PBL4801H
		Language option (1st and 2nd semester)	Law of Contract: RDL3005W	Criminal Procedure: PBL4802H
			Jurisprudence: RDL3006H	Civil Procedure: RDL4008H
			Community Service: DOL3001X	Integrative Assessment Project: DOL4000H
			Intermediate Year Skills Component: DOL3002X	Research Component (36 credits)

NOTE: Non-law components are drawn from the Law and Humanities programme. See Rule FP5 for details.

* Candidates must ensure that their first year non-law choices enable them to proceed to their second year non-law choices. The prerequisites for the second year course should be checked with the appropriate Faculty.

COURSE OUTLINES (LLB)

Preliminary Level LLB

Non-Law courses: Undergraduate LLB

*NOTE: Some of the non-Law courses required for the undergraduate LLB appear below. This is not an exhaustive list. Curriculum requirements for the different LLB streams are set out in the section **Rules for LLB degree streams**.*

ELL1013F ENGLISH LITERARY STUDIES

HEQF credits: 18 at level 5

First-year, first-semester course, 3 lectures and 2 tutorials per week.

Convener: Dr H Twidle.

Entrance requirements: None.

Course outline:

This course aims to introduce students to literary and rhetorical terms, and to basic issues in literary studies. Different literary genres will be explored and analysed, including the novel, poetry and drama. Students will be introduced to different kinds of critical writing and will engage in honing their own writing skills.

Lecture times: 2nd period, Monday, Tuesday and Thursday.

DP requirements: None.

All written work to be handed in and at least 75% attendance at tutorials.

Assessment:

Lecture series: two-hour examination counts for 50% of the final mark; tutorial classwork counts for 50%.

ELL1016S ENGLISH LITERARY STUDIES II

HEQF credits: 18 at level 5

First-year, second-semester course, 3 lectures and 2 tutorials per week.

Convener: Dr H Twidle.

Entrance requirements: None.

Course outline:

This course aims to extend the skills learned in ELL1013F. However, the study of literature will include texts from southern Africa and other parts of the world.

Lecture times: 2nd period, Monday, Tuesday and Thursday.

DP requirements: None.

All written work to be handed in and at least 75% attendance at tutorials.

Assessment:

Lecture series: two-hour examination counts for 50% of the final mark; tutorial classwork counts for 50%.

MAM1013F/S LAW THAT COUNTS: QUANTITATIVE LITERACY FOR LAW

HEQF credits: 18 at level 5

First year, first- or second-semester course: 3 lectures, 1 tutorial and 1 computer tutorial per week.

Course co-ordinator: Ms P Lloyd.

Entrance requirements: None.

(Students can be exempted **ONLY** on the basis of adequate performance in the Quantitative Literacy component of the National Benchmark Test.)

Course outline:

The course is intended to provide Law students with the necessary quantitative literacy to be able to understand, express and interpret appropriate quantitative ideas. The aim of the course is to give students an appreciation and understanding of mathematical and statistical ideas within real life and legal contexts. Course material will use real-life and legal situations, generally with a social justice focus, to extract concepts and principles using a problem-solving approach. Content to be covered will include percentages, ratios; interest and finance concepts; interpretation of graphs; manipulation of data; interpretation of statistics; computer skills in the form of spreadsheets. The lectures will be conducted in the form of workshop/lectures: the aim is to create a learning environment based on group-work and problem-solving.

Lecture times: 4th period.

DP requirements: None.

Achieve a class record of 40% and 75% attendance at workshop/lectures and tutorials.

Assessment:

Three written assessments, two assignments and assessment of computer tutorials contribute to the class record, counting 50%. The final examination consists of a written assessment and a computer assessment and counts 50%.

SLL1002F/S WORD POWER

(A course in etymology)

(NOTE: This course may also be offered in Summer/Winter Term - please consult the Centre for Open Learning.)

HEQF credits: 18 at level 5

Offered in the first and second semesters, 3 lectures and 1 tutorial per week.

Convener: Mrs G Solomons.

Entrance Requirements: None.

Course outline: The course consists of three components:

- (1) words and ideas: focus on concepts deriving from ancient words and key words associated with them;
- (2) word-building skills;
- (3) style: focus on the use of English grammar.

Lecture times: 1st semester: 5th period; 2nd semester: 5th and 8th periods.

DP requirements: None.

Students must attend all tutorials, submit all tutorial assignments, and write all tests.

Assessment:

One two-hour examination at the end of the semester counts for 50% of the final mark; coursework counts for 50%.

Law courses**PBL2000W CONSTITUTIONAL LAW**

HEQF credits: 36 at level 7

Preliminary Level, whole year course, three lectures per week, tutorials.

Course co-ordinator(s): Professor P de Vos.

Prerequisites: Undergraduate LLB students: concurrent registration with PBL2001H and RDL2002H.

Graduate LLB students: concurrent registration with RDL1003W, RDL1004H, RDL1008H, RDL2002H, RDL2003H.

Course outline:

The first part of the course provides an introduction to the history of South African constitutional

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law and basic concepts such as democracy, legitimacy, constitutionalism, federalism, separation of powers and the rule of law. It then considers the institutional framework provided by the South African Constitution in detail.

The second part of the course focuses on the protection of human rights in the Constitution. It examines the operation of the Bill of Rights and, using both SA cases and the jurisprudence of constitutional courts in other jurisdictions as well as the European Court of Human Rights, considers freedom of speech, equality and affirmative action, the protection of property rights and social and economic rights among other issues.

DP requirements: None.

Assessment:

November examination (3 hour) 60%

The year mark contributes the remaining 40% of the mark.

PBL2001H INTERNATIONAL LAW

HEQF credits: 18 at level 7

Preliminary Level, half course, whole year, two lectures per week, tutorials.

Course co-ordinator(s): Ms C Powell.

Prerequisites: Undergraduate LLB students: concurrent registration with PBL2000W and RDL2002H.

Graduate LLB students: concurrent registration with RDL1003W, RDL1004H, RDL1002H, PBL2000W and RDL2002H.

Course outline: The course addresses the following aspects of international law: introduction and sources; sovereignty; subjects and objects of international law; the relationship between international and municipal law; limitations upon the exercise of sovereignty; state responsibility; state succession; peaceful settlement of disputes; the use of force; the United Nations and international integration; the African Union and regional integration; prescriptive and enforcement jurisdiction in criminal matters; and international criminal law.

DP requirements: None.

Assessment:

Tutorial work and test(s) 40%

November examination 60%

PBL2002W CONSTITUTIONAL LAW (ADP)

HEQF credits: 36 at level 7

Preliminary Level, whole year course, three lectures per week, tutorials.

Course co-ordinator(s): Professor P de Vos.

Prerequisites: Undergraduate LLB ADP students: concurrent registration with RDL1007H.

Graduate LLB students: concurrent registration with RDL1009H, RDL1006W, RDL1007H.

Course outline:

The first part of the course provides an introduction to the history of South African constitutional law and basic concepts such as democracy, legitimacy, constitutionalism, federalism, separation of powers and the rule of law. It then considers the institutional framework provided by the South African Constitution in detail.

The second part of the course focuses on the protection of human rights in the Constitution. It examines the operation of the Bill of Rights and, using both SA cases and the jurisprudence of constitutional courts in other jurisdictions as well as the European Court of Human Rights, considers freedom of speech, equality and affirmative action, the protection of property rights and social and economic rights among other issues.

DP requirements: None.

Assessment:

November examination (3 hour)	60%
ADP assignments	5%

RDL1003W FOUNDATIONS OF SOUTH AFRICAN LAW

HEQF credits: 36 at level 5

Preliminary Level, whole year course, four lectures per week, tutorials.

Course co-ordinator(s): Professor H Corder, Professor AJ Barnard-Naudé and Dr L Greenbaum.

Prerequisites: Undergraduate LLB students: concurrent registration with RDL1004H and RDL1008H.

Graduate LLB students: concurrent registration with RDL1004H, RDL1008H, PBL2000W, RDL2002H, RDL2003H.

Course outline:

1. General introduction to the study of South African Law
2. The sources of South African Law
3. Legal reasoning, with special attention to the doctrine of precedent
4. Classification of the law and fundamental legal concepts
5. Introduction to legal history in South Africa
6. Introduction to legal theory and critical thinking
7. The relationship between law, justice and responsibility

DP requirements: None.

Assessment:

Coursework	50%
Examination in November	50%

10% will be deducted from the year mark of a student who fails to attend every tutorial. Students are required to complete two practical exercises. 5% will be deducted from the year mark of a student who fails to produce satisfactory work for any one of the practicals.

RDL1004H COMPARATIVE LEGAL HISTORY

HEQF credits: 18 at level 5

Preliminary Level, half course, whole year, 48 lectures, 4 tutorials.

Course co-ordinator(s): Associate Professor H Scott.

Prerequisites: Undergraduate LLB students: concurrent registration with RDL1003W and RDL1008H.

Graduate LLB students: concurrent registration with RDL1003W, RDL1008H, PBL2000W, RDL2002H, RDL2003H.

Course outline: This course is aimed at giving students a solid background to the development of Private Law, especially in the areas of obligations and the law of property. To this end the following is taught:

- (a) The first semester begins with an overview of the development of the law since the classical period of Roman law, through the Middle Ages until today.
- (b) The bulk of the first semester is devoted to a consideration of the rules of Roman law in key areas of contract, delict, enrichment, unauthorized administration and property. The focus is on learning how a legal system fits together in a substantive way and in the process students will be familiarized with the basic building blocks of South African Private Law.
- (c) In the second semester certain themes, institutions and rules encountered in the first semester and which are particularly important in modern South African law are singled out and their development from Roman law to modern law is traced. The main focus in this part of the course is to demonstrate the temporal contingency of legal rules as well as the importance of understanding the background of a modern legal rule. As far as possible the development of

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the relevant legal rules are compared with those in related legal systems.

DP requirements: None.

Assessment:

Coursework	50%
Examination in November	50%

RDL1006W FOUNDATIONS OF SOUTH AFRICAN LAW (ADP)

HEQF credits: 36 at level 5

Preliminary Level ADP, whole year course, four lectures per week, tutorials, ADP tutorials.

Course co-ordinator(s): Professor H Corder, Professor AJ Barnard-Naudé and Dr L Greenbaum.

Prerequisites: Undergraduate LLB (ADP Programme) students: concurrent registration with RDL1009H.

Graduate LLB students: concurrent registration with RDL1007H, RDL1009H, PBL2002W.

Course outline:

1. General introduction to the study of South African Law
2. The sources of South African Law
3. Legal reasoning, with special attention to the doctrine of precedent
4. Classification of the law and fundamental legal concepts
5. Introduction to legal history in South Africa
6. Introduction to legal theory and critical thinking
7. The relationship between law, justice and responsibility

DP requirements: None.

Assessment:

Coursework	50%
November examination	50%

10% will be deducted from the year mark of a student who fails to attend every tutorial. Students are required to complete two practical exercises. 5% will be deducted from the year mark of a student who fails to produce satisfactory work for any one of the practicals.

RDL1007H COMPARATIVE LEGAL HISTORY (ADP)

HEQF credits: 18 at level 5

Preliminary Level, half course, whole year, 48 lectures, 4 tutorials.

Course co-ordinator(s): Associate Professor H Scott.

Prerequisites: Undergraduate LLB students (ADP Programme): concurrent registration with PBL2002W.

Graduate LLB students: concurrent registration with RDL1006W, RDL1009H, PBL2002W.

Course outline: This course is aimed at giving students a solid background to the development of Private Law, especially in the areas of obligations and the law of property. To this end the following is taught:

1. The first semester begins with an overview of the development of the law since the classical period of Roman Law, through the Middle Ages until today.
2. The bulk of the first semester is devoted to a consideration of the rules of Roman law in key areas of contract, delict, enrichment, unauthorized administration and property. The focus is on learning how a legal system fits together in a substantive way and in the process students will be familiarized with the basic building blocks of South African Private Law.
3. In the second semester certain themes, institutions and rules encountered in the first semester and which are particularly important in modern South African law are singled out and their development from Roman law to modern law is traced. The main focus in this part of the course is to demonstrate the temporal contingency of legal rules as well as the importance of understanding the background of a modern legal rule. As far as possible the development of the relevant legal rules are compared with those in related legal systems.

DP requirements: None.

Assessment:

Coursework	50%
Examination in November	50%

RDL1008H LAW OF PERSONS AND FAMILY (was RDL1002H)

HEQF credits: 18 at level 5

Preliminary Level, half course, whole year, 50 lectures, 4 tutorials.

Course co-ordinator(s): Dr A Barratt.

Prerequisites: Undergraduate LLB students: concurrent registration with RDL1004H and RDL1003W.

Graduate LLB students: concurrent registration with RDL1004H, RDL1003W, PBL2000W, RDL2002H, RDL2003H.

Course outline:

- A The Law of persons:
 1. The definition of entities that are considered to have legal personality
 2. The beginning and end of legal personality
 3. The legal status and capacities of various groups of persons
 4. Domicile
- B Family Law
 1. Introduction to family law and the impact of the Bill of Rights
 2. The legal relationship between parents and children
 3. Invariable consequences of marriage
 4. Marital property and matrimonial property regimes
 5. Divorce
 6. Law of civil unions, domestic partnerships

DP requirements: None.

Assessment:

Coursework	40%
Two hour examination in November	60%

RDL1009H LAW OF PERSONS AND FAMILY (ADP) (was RDL1005H)

HEQF credits: 18 at level 5

Preliminary Level ADP, half course, whole year, 50 lectures, 4 tutorials, ADP tutorials.

Course co-ordinator(s): Dr A Barratt.

Prerequisites: Undergraduate LLB students (ADP): concurrent registration with RDL1006W.

Graduate LLB students (ADP): concurrent registration with RDL1007H, RDL1006W, PBL2002W.

Course outline:

- A The Law of persons:
 1. The definition of entities that are considered to have legal personality
 2. The beginning and end of legal personality
 3. The legal status and capacities of various groups of persons
 4. Domicile
- B Family Law
 1. Introduction to family law and the impact of the Bill of Rights
 2. The legal relationship between parents and children
 3. Invariable consequences of marriage
 4. Marital property and matrimonial property regimes
 5. Divorce

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6. Law of civil unions, domestic partnerships

DP requirements: None.

Assessment:

Coursework	40%
Two hour examination in November	60%

RDL2002H LAW OF PROPERTY

HEQF credits: 18 at level 7

Preliminary Level, half course, whole year, two lectures per week, tutorials.

Course co-ordinator(s): Professor H Mostert and Associate Professor A Pope.

Prerequisites: Undergraduate LLB students: concurrent registration with PBL2000W and RDL2003H.

Graduate LLB students: concurrent registration with RDL1003W, RDL1004H, RDL1008H, PBL2000W, RDL2003H

Course outline:

1. Introduction to the principles of South African Law of Property
2. Property rights: real rights and personal rights
3. Limited real rights and other rights in property
4. Possession
5. Ownership
6. Constitutional issues

DP requirements: None.

Assessment:

Coursework	40%
Examination in November	60%

RDL2003H LAW OF SUCCESSION

HEQF credits: 18 at level 7

Preliminary Level, half course, whole year, two lectures per week, tutorials.

Course co-ordinator(s): Associate Professor M Paleker.

Prerequisites: Undergraduate LLB students: concurrent registration with PBL2000W and RDL2002H.

Graduate LLB students: concurrent registration with RDL1003W, RDL1004H, RDL1008H, PBL2000W, RDL2002H.

Course outline:

- a) General Introduction: Broad overview of the law of succession; constitutional issues; death and survivorship; the legal position of heir, legatee and executor; the deceased estate.
- b) Intestate Succession: Introduction; general rules of intestate succession; order of intestate succession under the Intestate Succession Act 81 of 1987.
- c) Testamentary Succession: Introduction; execution of wills; alterations to a will by the testator/testatrix; capacity to make, witness and benefit under a will; invalidity of wills generally; revocation and revival of wills; bequests and beneficiaries; joint wills, massing and the doctrine of election; vesting of interests under a will; specific interests created by will; interpretation of wills; the basic rules; rectification of wills; variation of wills by the court; powers of appointment.

DP requirements: None.

Assessment:

Essay	15%
June Test	20%
November examination (2 hour)	65%

Intermediate Level LLB

CML3001W CORPORATION LAW

HEQF credits: 36 at level 7

Intermediate Level, whole course. Six tutorials and 72 lectures.

Course co-ordinator(s): Ms K Idensohn.

Prerequisites: All Preliminary Level courses to have been completed.

Course outline:

The course will provide an overview of the law governing various structures available for the carrying on of business and will then focus on the general principles of Company Law, the provisions of the Companies Act 71 of 2008, corporate governance and corporate law reform.

DP requirements: None.

Assessment:

Optional Essay/Moot/Opinion	20%
June test (2 hour)	30%
November examination (3 hour)	50% (if essay/moot/opinion) 70% (if no essay/moot/opinion)

DOL3000X MOOT COMPETITION

Intermediate year students selected to participate in national or international moot competitions may register for this course. To complete it successfully, students must submit adequate heads of argument and participate in a national or international moot competition presided over by more than one person.

Assessment: Heads of argument will count for 100% unless the supervisor agrees to allocate a percentage of the mark to oral presentation. The percentage of the mark allocated to oral presentation may not exceed 50%.

The credit obtained will not count towards the fulfilment of the requirements of the degree, nor will the mark obtained be considered for purposes of calculating the Intermediate Level average. The mark will be taken into account, however, for purposes of calculating the overall degree average, in accordance with the normal principles governing this calculation.

DOL3001X COMMUNITY SERVICE

Course co-ordinator(s): Associate Professor H Scott.

It is a compulsory requirement for the LLB degree that, during the course of their degree, all law students (other than first year law students on the 4 year LLB programme) complete a total of 60 hours unremunerated community service. The service must be legally orientated, must be offered through an approved service provider and must provide a direct service or benefit to an underprivileged/disadvantaged/vulnerable group or person. An approved service provider is one that is approved by the Law Faculty's Community Service Committee and includes: a) organisations that are directly affiliated to the Law Faculty; or b) organisations that are directly affiliated to Law Faculty based approved service providers. Programmes/projects of approved service providers and organisations that are linked to Law Faculty based approved service providers through which services are offered must also be approved by the Law Faculty's Community Service Committee.

Students must be registered for community service in the year that it is performed, log on Vula every 20 hours of voluntary work completed and hand in a duly completed and signed timesheet by the end of October of the year in which the community service is undertaken. Students failing to comply with any of the above requirements will not be permitted to graduate.

This course does not attract a fee. Details of approved service providers are available from the Community Service Vula website. Queries should be directed to Associate Professor H Scott, Room 4.24, Kramer Law School, email: helen.scott@uct.ac.za or Ms Toni Murphy, Room 6.14, Kramer

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Law School, email: toni.murphy@uct.ac.za. Students who successfully complete RDL4203H – Legal Practice are not required to do Community Service.

DOL3002X INTERMEDIATE YEAR SKILLS COMPONENT

Course co-ordinator(s): Associate Professor M Paleker.

Course outline:

In the Intermediate year of the LLB, in addition to fulfilling course-specific requirements such as assignments and tests, every student must write one essay and one opinion, participate in a moot and attend all tutorials (or submit written work at the discretion of the course convener). This non-credit bearing course will ensure compliance with the Intermediate year requirements and also ensure that each student benefits from the skills component of the LLB.

Assessment: No formal assessment. Students are required to submit two written assignments (one essay and one opinion), participate in one moot and attend all tutorials.

PBL3000F INTERPRETATION OF STATUTES

HEQF credits: 18 at level 7

Intermediate Level, half course, first semester. Three tutorials and 24 lectures.

Course co-ordinator(s): Ms M du Plessis.

Prerequisites: All Preliminary Level courses to have been completed.

Course outline:

Students will be given a detailed course outline. There is no prescribed textbook for the course, but the course outline will refer to the following books: George Devenish *Interpretation of Statutes* (1992), Lourens du Plessis *Reinterpretation of Statutes* (2002) and Christo Botha *Statutory Interpretation* 4th Edition (2005).

The course will deal with the following topics:

1. Introduction
2. Anglo-American trends in statutory interpretation
3. Theories of interpretation in South Africa
4. The impact of the Constitution
5. Types of legislation
6. Conventions of interpretation
7. Aids to construction of meaning
8. Presumptions of interpretation
9. Peremptory and directory provisions.

DP requirements: Students must attend and participate in two tutorials. Students who do not attend and participate must submit a discussion of the tutorial topic in writing (1 500 words).

Assessment:

Optional essay/Moot/Opinion	20%
Optional class test	20%
June examination (2 hours 15 minutes)	60% (if essay/moot/opinion and test) 80% (if essay/moot/opinion or test) 100% (if neither essay/moot/opinion nor test)

PBL3001H INTERNATIONAL LAW

HEQF credits: 18 at level 7

Intermediate Level, half course, whole year, two lectures per week, tutorials.

Course co-ordinator(s): Ms H Woolaver.

Prerequisites: All Preliminary Level courses to have been completed.

Course outline: The course addresses the following aspects of international law: introduction and sources; sovereignty; subjects and objects of international law; the relationship between

international and municipal law; limitations upon the exercise of sovereignty; state responsibility; state succession; peaceful settlement of disputes; the use of force; the United Nations and international integration; the African Union and regional integration; prescriptive and enforcement jurisdiction in criminal matters; and international criminal law.

DP requirements: None.

Assessment:

Tutorial work and test(s)	40%
November examination	60%

PBL3801W CRIMINAL LAW (was CRJ3001W)

HEQF credits: 36 at level 7

Intermediate Level, whole course. Six tutorials and 72 lectures.

Course co-ordinator(s): Professor J Burchell.

Prerequisites: All Preliminary Level courses to have been completed.

Course outline:

Introduction: The course covers the general principles of criminal law. Students are introduced to these principles by a brief examination of the nature of criminal law and selected specific offences, the principle of legality and the operation of the Bill of Rights on the rules of criminal law.

Analysis of principles:

The course focuses on an analysis of the case law and legal principles governing the elements of

- (i) voluntariness of conduct (including the defence of automatism);
- (ii) causation;
- (iii) defences excluding unlawfulness (private defence, necessity, impossibility, obedience to orders, public authority and consent);
- (iv) capacity (including the defences of youth, insanity, intoxication, provocation and emotional stress);
- (v) fault in the forms of intention and negligence;
- (vi) common purpose, accomplice and accessory-after-the-fact liability;
- (vii) attempt, incitement and conspiracy

Selected specific offences:

Essential elements of crimes such as murder, culpable homicide, assault, rape, theft, robbery, and fraud are considered.

DP requirements: The tutorial style of teaching is favoured and students are given all of the tutorial problems and readings, in the order in which they will be covered in classes, at the beginning of the semester and are required to prepare in advance of lectures and tutorials. Class participation is essential.

Assessment:

Optional Essay/Moot/Opinion	20%
June test	20%
Assignment/test	10%
November examination (2 hour)	50% (if essay/moot/opinion) 70% (if no essay/moot/opinion)

PBL3802H CRIMINAL PROCEDURE (was CRJ3002H)

HEQF credits: 18 at level 7

Intermediate Level, half course, whole year. Three tutorials and 36 lectures.

Course co-ordinator(s): Associate Professor D Smythe.

Prerequisites: All Preliminary Level courses to have been completed.

Course outline:

The general principles of criminal procedure both in Magistrates' Courts and in the High Court.

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Particular attention will be paid to the impact of constitutional rights on criminal procedure. The course deals inter alia with the following topics: criminal procedural models and the nature of the South African criminal procedural system, the composition of the South African judicial authority and jurisdiction of the criminal courts, the national prosecuting authority, various pre-trial procedures, such as arrest, search and seizure and bail, all aspects relating to the trial, including the plea procedures and the verdict and sentence, and review and appeal.

DP requirements: None.

Assessment:

Optional Essay/Moot/Opinion	20%
June test	20%
Assignment	10%
November examination (2 hour)	50% (if essay/moot/opinion) 70% (if no essay/moot/opinion)

RDL3001H LAW OF SUCCESSION

HEQF credits: 18 at level 7

Intermediate Level, half course, whole year. Three tutorials and 36 lectures.

Course co-ordinator(s): Ms S Lutchman and Associate Professor M Paleker.

Prerequisites: All Preliminary Level courses to have been completed.

Course outline:

- A. General Introduction: Broad overview of the law of succession; constitutional issues; death and survivorship; the legal position of heir, legatee and executor; the deceased estate.
- B. Intestate Succession: Introduction; general rules of intestate succession; order of intestate succession under the Intestate Succession Act 81 of 1987.
- C. Testamentary Succession: Introduction; execution of wills; alterations to a will by the testator/testatrix; capacity to make, witness and benefit under a will; invalidity of wills generally; revocation and revival of wills; bequests and beneficiaries; joint wills, massing and the doctrine of election; vesting of interests under a will; specific interests created by will; interpretation of wills: the basic rules; rectification of wills; variation of wills by the court; powers of appointment.

DP requirements: None.

Assessment:

Optional Essay/Moot/Opinion	20%
Coursework	20%
November examination (2 hour)	60% (if essay/moot/opinion) 80% (if no essay/moot/opinion)

RDL3002H AFRICAN CUSTOMARY LAW

HEQF credits: 18 at level 7

Intermediate Level, half course, whole year, three tutorials and 36 lectures.

Course co-ordinator(s): Professor C Himonga.

Prerequisites: All Preliminary Level courses to have been completed.

Course outline:

1. The nature and definition of Customary Law and its development in African colonial contexts
2. The place of African Customary Law in the South African legal system (for example recognition, application and proof of Customary Law and the Bill of Rights)
3. Courts and dispute settlement
4. Customary Family Law in historical perspective
5. The Recognition of Customary Marriages Act
6. Law reform: succession and other aspects of customary law.

DP requirements: None.

Assessment:

Optional Essay/Moot/Opinion	20%
June test	20%
November examination	60% (if essay/moot/opinion) 80% (if no essay/moot/opinion)

RDL3003H LAW OF DELICT

HEQF credits: 18 at level 7

Intermediate Level, half course, whole year. Three tutorials and 36 lectures.

Course co-ordinator(s): Professor AG Fagan, Associate Professor H Scott and Dr AM Price.

Prerequisites: All Preliminary Level courses to have been completed.

Course outline: The course deals with the general principles of the South African law of delict and their application to specific delicts.

DP requirements: None.

Assessment:

Optional Moot/Essay/Opinion	20%
Coursework	50% (30% if moot/essay/opinion)
November examination (2 hour)	50%

RDL3005W LAW OF CONTRACT

HEQF credits: 36 at level 7

Intermediate Level, whole course, whole year. Four tutorials and 96 lectures.

Course co-ordinator(s): Professors DB Hutchison and T Naudé.

Prerequisites: All Preliminary Level courses to have been completed.

Course outline:

1. Nature and basis of contractual liability
2. The formation of contracts
3. Absence of consensus: mistake
4. Consensus that is vitiated or improperly obtained
5. Other requirements for a valid contract
 - 5.1 Contractual capacity
 - 5.2 Possibility of performance
 - 5.3 Certainty
 - 5.4 Formalities
 - 5.5 Legality
6. Contents and operation of a contract
7. Breach of contract
8. Remedies for breach
9. Brief overview of transfer of rights (cession)
10. Extinction of obligations

DP requirements: None.

Assessment:

Optional Essay/Moot/Opinion	20%
Coursework	30%
November examination (2 hour)	50% (if no essay/moot/opinion) 70% (if no essay/moot/opinion)

RDL3006H JURISPRUDENCE

HEQF credits: 18 at level 7

Intermediate Level, half course, whole year, 36 lectures and three tutorials.

Course co-ordinators: Professors AG Fagan and AJ Barnard-Naudé and Dr AM Price.

Prerequisites: All Preliminary Level courses to have been completed.

Course outline:

This course deals with central issues in analytical, normative, and critical jurisprudence.

DP requirements: None.

Assessment:

Coursework	40%
November examination	60%

RDL3008H CIVIL PROCEDURE

HEQF credits: 18 at level 7

Intermediate Level, half course, whole year. Three tutorials and 36 lectures.

Course co-ordinator(s): Associate Professor M Paleker.

Prerequisites: All Preliminary Level courses to have been completed.

Course outline:

Jurisdiction of the courts; locus standi; parties to proceedings; service of process; applications; actions; provisional sentence; matrimonial proceedings in the family courts; legal drafting.

The course covers the civil procedure of both the High Court and the Magistrates' Court.

DP requirements: None.

Assessment:

Coursework	35%
November examination	65%

Final Level LLB

CML4006W COMMERCIAL TRANSACTIONS LAW

HEQF credits: 36 at level 8

Final Level, whole year course, six small group teaching sessions and 72 lectures. Refer to the Final Level Year Plan distributed at registration for details regarding the small group teaching dates.

Course co-ordinator(s): Dr A Hutchison.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed.

Course outline:

The course covers principles of the law of agency, sale, lease, consumer protection, credit agreements, negotiable instruments, insurance, secured transactions and insolvency.

DP requirements: None.

Assessment:

One compulsory class test in June (1 hour)	20%
One optional oral presentation	10%
One optional written assignment	20%
One November examination (3 hour)	50% or 60% or 70% or 80%

General Notes:

- Students who do not write the compulsory class test in June through illness will, on production of satisfactory medical certificate, be granted an oral aegrotat test scheduled in the second week of the second semester at a time to be arranged with the course co-ordinator. There will be no

exemptions from the June test.

- The material tested in June will not be examined directly in the final examination but students will be expected to be familiar with that material for the final examination.
- If a student elects to do one or more of the year mark options, the proportion of that student's examination mark to the overall final mark for the course will be adjusted accordingly.

Refer to the course outline distributed at the beginning of the year for further details.

PBL4001W ADMINISTRATIVE LAW

HEQF credits: 36 at level 8

Final Level, whole year course, six tutorials and 72 lectures.

Course co-ordinator(s): Professor H Corder.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed.

Course outline:

This course deals primarily with the legal rules surrounding the exercise of public power, both as they empower and regulate. In particular it deals with the role of the courts in controlling the exercise of public power, but it also looks at alternatives to judicial review as other important ways of holding public power to account. After a general introduction, an overview of administrative law, the course focuses on the sources, types and extent of administrative power, and the scope of judicial review (both in theory and practice) in a democratic state. The course takes into account the combined effect of the Constitution and legislation on administrative law. The second part of the course focuses mainly on the grounds of review which have been developed by the courts, most of which are found in s 6 of the Promotion of Administrative Justice Act.

DP requirements: None.

Assessment:

Assessment during the year counts	40%
One November examination (3 hour)	60%

PBL4801H EVIDENCE (was CRJ4001H)

HEQF credits: 18 at level 8

Final Level, half course, whole year, three tutorials and 36 lectures

Course co-ordinator(s): Ms K Phelps and Ms N Chanetsa.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed.

Course outline: Includes inter alia:

History and sources of the law of evidence; rules of admissibility, in the context of the relevancy requirement, such as character, similar fact and opinion evidence; rules excluding relevant evidence, such as privilege and hearsay; detrimental statements, such as confessions; kinds of evidence and presentation thereof; witnesses, including their competence and compellability and calling of witnesses; proof without evidence, such as judicial notice and rebuttable presumptions; evaluation of evidence, including the cautionary rules; and the standards and burdens of proof.

DP requirements: None.

Assessment:

Coursework	40%
November examination (2 hour)	60%

RDL4005H AFRICAN CUSTOMARY LAW

HEQF credits: 18 at level 8

Final Level, half course, whole year, three tutorials and 36 lectures.

Course co-ordinator(s): Professor C Himonga.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed.

Course outline:

1. The nature and definition of Customary Law and its development in African colonial contexts
2. The place of African Customary Law in the South African legal system (for example recognition, application and proof of Customary Law and the Bill of Rights)
3. Courts and dispute settlement
4. Customary Family Law in historical perspective
5. The Recognition of Customary Marriages Act
6. Law reform: succession and other aspects of customary law.

DP requirements: None.

Assessment:

Optional Essay	20%
June test	20%
November examination	60% (if essay) 80% (if no essay)

RDL4006H JURISPRUDENCE

HEQF credits: 18 at level 8

Final Level, half course, whole year, 36 lectures and three tutorials.

Course co-ordinators: Professors AG Fagan and AJ Barnard-Naudé and Dr AM Price.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed.

Course outline:

This course deals with central issues in analytical, normative, and critical jurisprudence.

DP requirements: None.

Assessment:

Coursework	40%
November examination	60%

DOL4000H INTEGRATIVE ASSESSMENT PROJECT

HEQF credits: 0

It is a requirement for the LLB degree that all Final Level students register for and pass the Integrative Assessment Project.

Course co-ordinator(s): Ms J Yeats.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed.

Objective: The objectives of the project are to assess students' ability, with the benefit of group interaction, to find and apply the relevant law to a fact complex that integrates a variety of areas of law taught as separate subjects in the LLB curriculum; and to demonstrate an overall grasp of South African law and how it operates in real life situations.

Course outline: The Integrative Assessment Project is set as a six-hour project to be completed in the library under open-book examination conditions during the mid-semester break in the second semester. Students registered for the project are divided into groups. Each group is allocated to a day and time in the assessment period. The group is assigned a project question and has a five-hour preparation period followed immediately by a one-hour oral examination. During the preparation period, the group has the opportunity to discuss the project question to identify the legal issues raised and then to research appropriate responses. In the oral examination, members of the group will be asked questions about the project. Each student is assessed individually based on the answers they provide to questions put to them. Each student is graded as a pass/fail. The grading is done by a panel comprising academic staff members.

Further information about the Project is provided at Registration.

Optional courses: Final Level

DEPARTMENT OF COMMERCIAL LAW

9 CREDIT OPTIONAL COURSES

CML4201H	Revenue Law (was CML5009H)
CML4202H	Labour Law LLB (was CML5013H)
CML4203H	Intellectual Property Law (was RDL4204H)

4.5 CREDIT OPTIONAL COURSES

CML4101F	Insurance Law (was CML5012F) (<i>Not on offer in 2013</i>)
CML4102S	Trusts and Estate Planning (was CML5016S)
CML4103S	Electronic Law (Examination) (was CML5022S)
CML4104S	Competition Law (was CML5023S)
CML4105F	Conflict Resolution (was CML5030F)
CML4106H	Moot (was CML5421H)
CML4107H	Electronic Law (Paper) (was CML5422H)
CML4108S	Theory and Practice of Commercial Regulation and Governance

DEPARTMENT OF PRIVATE LAW

9 CREDIT OPTIONAL COURSES

RDL4201F	Conflict of Laws (was RDL5000F)
RDL4202H	Unjustified Enrichment and Cession (was RDL5026H)
RDL4203H	Legal Practice (previously Legal Aid and Legal Practice) (was RDL5030H)
RDL4205H	Private Law and Human Rights (was RDL5038H)

4.5 CREDIT OPTIONAL COURSES

RDL4101Z	Introduction to American Law (was RDL5034Z)
RDL4102S	Dignity, Equality and Freedom – Fundamental Rights and Fundamental Values
RDL4103H	Selected Studies in Roman Law (was RDL5036F)
RDL4104S	Muslim Personal Law (<i>Not on offer in 2013</i>)
RDL4105F	HIV/AIDS, Bioethics and the Law (was RDL5071F)
RDL4106H	Moot (was RDL5418H)
RDL4107S	The South African Law of Delict in Theoretical and Comparative Perspective

DEPARTMENT OF PUBLIC LAW

4.5 CREDIT OPTIONAL COURSES

PBL4101F	Environmental Law (Examination) (was PBL5014F)
PBL4102F	European Union Law (was PBL5028F)
PBL4103F	Refugee & Immigration Law (was PBL5030F)
PBL4104S	Constitutional Litigation (was PBL5034S)
PBL4105F	Current Issues in Constitutional Law (was PBL5042F)
PBL4106S	International Human Rights Law and the Constitution (was PBL5043S)
PBL4107H	Moot (was PBL5432H)
PBL4108F	Crime and Criminology (was PBL5822F)

COURSES OFFERED BY OTHER DEPARTMENTS (all 9 credit)

ACC1014S	Understanding Financial Statements (<i>Not on offer in 2013</i>)
LAB4008S	Medicina Forensis (was LAB5000S)
SLL1134H	isiXhosa for Law
SLL1135H	Afrikaans Communication for Law

Course outlines:

9 CREDIT OPTIONAL COURSES

ACC1014S UNDERSTANDING FINANCIAL STATEMENTS (*Not on offer in 2013*)

HEQF credits: 9 at level 5

(*Subject to sufficient demand. Status of course to be confirmed by contacting the course convener*)

Final Level, half course, second semester, lectures per week.

Course co-ordinator(s): Associate Professor M Graham.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed. *Students who have completed any course in Accounting (eg. Accounting I, Introduction to Management Accounting, Accounting for Lawyers) are not permitted to register for this course.*

Course outline:

Selected topics from: The objective of this course is to provide students with an ability to read, understand and interpret financial statements. Topics include: *basic accounting, the income statement, the balance sheet, the cash flow statement and financial analysis.*

DP requirements: A minimum of 75% attendance at tutorials and 40% for the test.

Assessment:

Tests 40%

Examination (2 hour) 60%

The supplementary examination for students who fail to pass in the final examination may be written in January.

CML4201H REVENUE LAW (was CML5009H)

HEQF credits: 9 at level 8

Final Level, half course, whole year, three lectures per week.

Course co-ordinator(s): Professor R Jooste.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed.

Course outline:

1. Principles of South African Normal Tax:
 - determination of taxable income
 - capital gains
 - individuals, trusts, estates, companies, close corporations and partnerships
 - tax avoidance and evasion
 - collection of tax – employees' tax and provisional tax
 - objections, appeals, re-opening of assessments
2. Value Added Tax
3. An overview of Donations Tax and Estate Duty

DP requirements: None.

Assessment:

One written examination in June (1½ hour) 50%

One written examination in November (1½ hour) 50%

CML4202H LABOUR LAW LLB (was CML5013H)

HEQF credits: 9 at level 8

Final Level, half course, whole year, two lectures per week.

Course co-ordinator(s): Professor R le Roux.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed.

Course outline:

The purpose and function of labour law; an examination of basic conditions of employment; unfair dismissal; the framework of industrial legislation; the institutions of collective bargaining and participative decision-making; statutory and non-statutory dispute resolution; discrimination and equity in employment. In addition to the final examination, students will be required to submit one assignment.

DP requirements: Completion of all work required of the class. Two compulsory tutorials will be held.

Assessment:

Students must complete and submit an assignment and one compulsory test	20% each
Final examination in November	60%

CML4203H INTELLECTUAL PROPERTY LAW (was RDL4204H)

HEQF credits: 9 at level 8

Final Level, half course, whole year, two lectures per week.

Course co-ordinator(s): Ms L-A Tong.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed.

Course outline:

The course aims to familiarize students with the nature of intellectual property rights in South Africa. It includes an examination of national law as well as the international treaties and conventions on intellectual property law.

1. Justifications for IP protection
2. The role of international organizations; sources and principles of intellectual property rights
3. Copyright and related rights
4. Trademarks and geographical indications
5. Unlawful competition
6. Patents and Designs
7. Issues in IP e.g. traditional knowledge, digital technology, biotechnology and pharmaceutical patents

DP requirements: None.

Assessment:

One written test in June (1 hour)	40%
One written examination in November	60%

LAB4008S MEDICINA FORENSIS (was LAB5000S)

HEQF credits: 9 at level 8

Final Level, half course, second semester, three lectures per week.

Course co-ordinator(s): Professor LJ Martin.

Lecturers: Professor LJ Martin, Associate Professor L Artz, Drs GM Kirk, Y van der Heyde, L Liebenberg, IJ Molefe, S Maistry, S Mfolozi and EB Afonso.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed.

Course outline:

The SA legal system and statutory obligations of doctors and health care workers; introduction to human anatomy and physiology; Introduction to medico-legal concepts of life and death; The changes which take place in the body after death; The mechanisms of injury and death causation; Identity and disputed parenthood; sexual offences and violence against women; choice of termination of pregnancy; child abuse and other forensic aspects of paediatric medicine; Iatrogenic disorders; alcoholic intoxication and drunken driving, drug addiction and poisoning as cause of

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death; pathology of head injury; anoxic mechanisms as cause of death.

DP requirements: None.

Assessment:

One written examination in November (2 hours) 100%

Oral examinations of twenty minutes for pass/fail candidates will be held.

RDL4201F CONFLICT OF LAWS (was RDL5000F)

HEQF credits: 9 at level 8

Final Level, half course, first semester, three lectures per week.

Course co-ordinator(s): Professor TW Bennett.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed.

Course outline:

Principles governing application of foreign law; characterisation of cause of action; domicile; choice of law rules for: marriage and divorce, status, contract, delict, property, succession and procedure; exclusion of foreign law, renvoi; recognition and enforcement of foreign judgements.

DP requirements: None.

Assessment:

One three-hour written examination in June 100%

An optional written assignment may count 30%

RDL4202H UNJUSTIFIED ENRICHMENT AND CESSION (was RDL5026H)

HEQF credits: 9 at level 8

Final Level, half course, whole year, two lectures per week.

Course co-ordinator(s): Professor DB Hutchison and Associate Professor H Scott.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed.

Course outline:

This is an advanced course on unjustified enrichment and cession.

DP requirements: None.

Assessment:

June test (2 hour) 50%

November examination (2 hour) 50%

RDL4203H LEGAL PRACTICE (was RDL5030H)

HEQF credits: 9 at level 8

Final Level, half course, whole year, two lectures per week.

Course co-ordinator(s): Ms Y Moodley.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed; except that Intermediate Level students may register for this course if they achieve an average of 65% in the Preliminary Level law courses and the Director of the Law Clinic admits them into the course.

Course outline:

This course offers students their first opportunity of working with real clients and conducting actual litigation, under guidance of the attorneys at the UCT Law Clinic.

Students attend two lectures per week on practical subjects and also conduct ongoing cases on behalf of their clients. In addition, each student participates in a Mock Trial which is based on an actual Law Clinic case and is argued before an actual Magistrate.

During the course of the year students attend approximately six evening clinics where they consult with clients and take on new cases.

At the end of this course students will be able to

- Conduct a proper consultation with a client;

- Draft letters and communicate effectively with clients, attorneys and other parties;
- Draft civil pleadings in actions and applications;
- Manage a typical attorney's file;
- Examine and cross-examine witnesses and present oral argument; and
- Conduct most cases undertaken by the UCT Law Clinic.

DP requirements: None.

Assessment:

Clinic work and oral examination	40%
Assignments, mock trial and mid-year oral	30%
Examination in October/November	30%

RDL4205H PRIVATE LAW AND HUMAN RIGHTS (was RDL5038H)

HEQF credits: 9 at level 8

Final Level, half course, whole year, two lectures per week.

Course co-ordinator(s): Professor AJ Barnard-Naudé.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed.

Course outline:

The course deals with current issues in private law from a theoretical perspective. Topics include:

1. The public/private dichotomy in a constitutional democracy.
2. Theories of application of the South African Constitution to traditional "private law".
3. Transformation of, and transformative issues in relation to, the following institutions of private law:
 - (a) Delict
 - (b) marriage and family
 - (c) contract.
4. The potential of private law, as infused by the Constitution, to resolve the dilemmas of social democracy with specific reference to the apartheid reparations debate.

DP requirements: None.

Assessment:

Seminar presentation	30%
An essay of 4000-5000 words	70%

SLL1134H ISIXHOSA FOR LAW

HEQF credits: 9 at level 5

Final Level, half course, whole year, two lectures per week.

Course co-ordinator(s): Dr M Smouse and Mrs N Ngalo.

Entrance requirements: None. A student may only register for this course if Xhosa is not one of his/her home languages and provided further that he/she did not complete Xhosa on any level in the final year of high school.

Course outline: This course is a vocation-specific course that introduces law students to communication skills required for a successful interaction between a law professional and a client. The course takes an integrated approach to language learning through an incorporation of law-related interactions such as: child maintenance, credit agreements (i.e. default on...), divorce, evictions, wills, drawing up contracts, and theft. Since the primary focus of this course is on communication skills, the areas of pronunciation, vocabulary development and language structure that is required for successful interaction with clients will be emphasised. The course also aims to familiarise students with common cross-cultural miscommunication in relation to various legal contexts.

DP requirements: Students are expected to attend at least 80% of lectures and complete all assessments and projects.

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Assessment:

Year work (written work and oral tests, portfolio activities)	50%
June oral exam	20%
November oral exam	30%

SLL1135H AFRIKAANS COMMUNICATION FOR LAW

HEQF credits: 9 at level 5

Final Level, half course, whole year, two lectures per week

Course co-ordinator(s): Dr J Claassen.

Entrance requirements: At least 3 years of Afrikaans at secondary school level or a pass in SLL1042F/S. First language speakers of Afrikaans are not permitted to register for this course. A student may only register for this course if Afrikaans is not one of his/her home languages and provided further that he/she did not complete Afrikaans on any level in the final year of high school.

Course outline: A course for non-native speakers of Afrikaans, who are registered for BA (Law) or the LLB degree. The course aims to develop the necessary verbal communicative competency in Afrikaans, which is required during interaction between a lawyer and a client. The course equips students with skills to comprehensively conduct and sustain lawyer-client consultations. The content of the course is aimed at complementing the BA (Law) and LLB curriculum. The topics covered overlap with those encountered at legal aid clinics and include, but are not restricted to, child support, children's rights, family violence, divorce, backyard dwellings and municipal issues.

DP requirements: 75% of all classes must be attended and all assessments must be completed.

Assessment:

Coursework	50%
Examinations, with participants being assessed by means of oral, simulated-client interviews	50%

4.5 CREDIT OPTIONAL COURSES

CML4101F INSURANCE LAW (was CML5012F) (*Not on offer in 2013*)

HEQF credits: 4.5 at level 8

Final Level, half course, first semester, two lectures per week.

Course co-ordinator(s): Associate Professor G Bradfield.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed.

Course outline:

An introduction to the law of insurance in South Africa, concentrating on general principles, but relating those principles, where possible, to practical applications. Both short term and long term insurances are dealt with. The course covers a brief history of the origins of insurance law and practice before visiting the basic requirements for a valid insurance contract. These include the notion of an insurable interest, good faith in insurance contracts, and warranties and exceptions. Claims procedures are touched upon. Where time permits, a brief introduction is given to motor and marine insurance.

DP requirements: Satisfactory attendance at and participation in lectures. Test: a voluntary test will be offered in the first week of the second term.

Assessment:

June examination	40%
Course work	60%

CML4102S TRUSTS AND ESTATE PLANNING (was CML5016S)

HEQF credits: 4.5 at level 8

Final Level, half course, second semester, two lectures per week.

Course co-ordinator(s): Professor RJ Jooste.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed. Concurrent registration with CML4201H Revenue Law is recommended.

Course outline:

The objective of this course is to outline aspects of the law relevant to the use of trusts in estate planning. More specifically the course covers the law of trusts, the income tax implications of using trusts, the calculation of estate duty and the standard estate plans using trusts.

DP requirements: None.

Assessment:

One written examination in November (1½ hour) 100%

CML4103S ELECTRONIC LAW (EXAMINATION) (was CML5022S)

HEQF credits: 4.5 at level 8

Final Level, half course, second semester, two lectures per week.

Course co-ordinator(s): Dr C Ncube.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed. Students are expected to be familiar with at least elementary computer techniques.

Objective: The object of the course is to equip students with an understanding of the terminology of the information and communication technology industry and an ability to apply the law to this growing industry. For example, students will be able to analyse and comment on the law of contract as it relates to electronic messages; on the right to privacy in cyberspace; and on intellectual property law applicable to digital resources.

Course outline:

The Electronic Law course has both a theoretical component and a practical component. The theoretical component will consider the following topics in the light of South African, international and comparative law:

1. An Introduction to Cyberspace
2. Governance (Internet and Telecommunications)
3. Security
4. Data Privacy
5. Privacy and Monitoring
6. ISPs, web design and hosting
7. Consumer Protection
8. Intellectual Property
9. Cybercrime

The practical component includes computer skills instructions with emphasis on determining what technology tools are available to lawyers, making appropriate choices of technology tools for particular purposes and learning how to use the tools.

Practical instruction consists of the following:

1. Building blocks of the digital world
2. Digital lawyering
3. Web site design

DP requirements: None.

Assessment:

Web site project (concentrating on content) 50%
One written examination (1½ hour) 50%

CML4104S COMPETITION LAW (was CML5023S)

HEQF credits: 4.5 at level 8

Final Level, half course, second semester, two lectures per week.

Course co-ordinator(s): Judge DM Davis.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed.

Course outline:

In this course we examine the regulation of competition under the ‘new’ Competition Act 89 of 1998. The focus of the course is on the statutory regulation of competition and the underlying policy considerations which the Act aims to address. In particular, we examine the practices that firms are prohibited from engaging in under the Act, and the way in which the Act regulates the merger of firms. The content of the Act has been heavily influenced by European and American Antitrust Law and practice. Since the South African competition authorities have not yet had an opportunity to develop an extensive jurisprudence of their own, we look to comparative sources for guidance as to how the Act might come to be interpreted and applied.

DP requirements: This course requires a large measure of student participation. Class attendance is compulsory. Class participation takes the form of both group-work and individual presentations.

DP requirements: None.

Assessment:

Coursework	40%
One written examination in November (2 hour)	60%

CML4105F CONFLICT RESOLUTION (was CML5030F)

HEQF credits: 4.5 at level 8

Final Level, half course, first semester, two lectures per week.

Course co-ordinator(s): Professor A Rycroft.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed. The faculty reserves the right to limit classes to 30 students.

Course outline:

The course aims to achieve three goals:

1. To acquaint students with the different approaches to, and styles of negotiation and mediation. To achieve this, students will be expected to analyse conflicts, identify the interests of the disputing parties, design intervention strategies and separate out the issues that can be dealt with through different processes.
2. To equip students with elementary negotiation and mediation skills. Students will be expected to be mediators, disputants and negotiators during these simulated exercises.
3. The different contexts in which negotiation, conciliation, mediation and arbitration occur will be dealt with in seminars, some of which will be presented by guest experts. These contexts include labour matters, international mediation and peace-building, family disputes, community courts, arbitration tribunals (international and domestic), human rights issues, youth justice and restorative justice.

DP requirements: None.

Assessment:

Student performance in the simulated exercises during the term will be evaluated by the facilitator/s.

Essays / tests	40%
One 1½ hour written examination in June	60%

CML4107H ELECTRONIC LAW (PAPER) (was CML5422H)

HEQF credits: 4.5 at level 8

Final Level, half course, whole year, two lectures per week.

Course co-ordinator(s): Dr C Ncube.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed

Course outline:

Students attend the lectures offered in the CML4103S Electronic Law course. Instead of writing the

final examination students are required to submit a research paper based on some aspect of Electronic Law. A student may not register for CML4103S and CML4107H concurrently.

DP requirements: None.

Assessment:

Participation in lectures	20%
Research paper	80%

CML4108S THEORY AND PRACTICE OF COMMERCIAL REGULATION AND GOVERNANCE

HEQF credits: 4.5 at level 8

Course co-ordinator(s): Associate Professor D Collier and Ms K Idensohn.

Course outline:

The regulation of commercial activities is seen as a necessary measure to manage risk and mediate the conflicting interests of parties. Increasingly however, formalistic legal (or state) regulation of commercial activities is under pressure to give way to 'softer' forms of governance. This course in regulation and governance introduces students to (i) basic economic perspectives on regulation and governance and global trends in this regard; (ii) basic sociological perspectives on the regulation of commercial activities; which will provide students with an understanding of various regulatory models – from the traditional command-and-control to more reflexive/responsive models – and will equip students with the tools to critique the contemporary regulatory regime and its impact on commercial activity

DP requirements: None..

Assessment:

Coursework component (two 2000 word essays)	50%
Examination (1½ hour)	50%

PBL4101F ENVIRONMENTAL LAW (EXAMINATION) (was PBL5014F)

HEQF credits: 4.5 at level 8

Final Level, half course, first semester, two lectures per week.

Course co-ordinator(s): Ms M Lau.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed.

Course outline:

The course examines the various branches of law applicable to selected environmental problems. The terrestrial and marine environments are considered from an international and national perspective. The following are covered:

1. An introduction to environmental problems
2. The nature of environmental law
3. Land-use management (environmental impact assessment, protected areas)
4. Resource conservation (water, marine living resources, biodiversity)
5. Pollution law (water, land, air)

DP requirements: None.

Assessment:

June examination (1½ hour)	100%
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PBL4102F EUROPEAN UNION LAW (was PBL5028F)

HEQF credits: 4.5 at level 8

Final Level, half course, first semester, two lectures per week.

Course co-ordinator(s): Emeritus Professor DJ Devine.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed.

Course outline:

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1. Organisation of the European Communities and their Institutions
2. Union Law and National Law
3. The foundations of the European Union (Competition Policy and the Internal Market).

DP requirements: None.

Assessment:

June examination (1½ hour) 100%

PBL4103F REFUGEE AND IMMIGRATION LAW (was PBL5030F)

HEQF credits: 4.5 at level 8

Final Level, half course, first semester, two lectures per week.

Course co-ordinator(s): Ms F Khan.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed.

Course outline:

The object of the course is to assess the evolution of the international legal framework for refugee and asylum law. Students will acquire a thorough understanding of the UN Convention relating to the status of refugees (1951), as well as certain regional conventions, in particular the OAU Convention.

The work focuses primarily on the basic criteria for the attainment, denial, and withdrawal of refugee status and the rights and treatment of refugees. A review of the case-law of international, regional, and national courts will provide an understanding of how refugee law is interpreted and implemented.

In addition the course will consider on South Africa's international obligations towards refugees. The course also includes a brief history of immigration to South Africa and a study of the constitution in regard to the rights of non-citizens.

DP requirements: None.

Assessment:

One 2 hour written examination in June 100%

PBL4104S CONSTITUTIONAL LITIGATION (was PBL5034S)

HEQF credits: 4.5 at level 8

Final Level, half course, second semester.

Course co-ordinator(s): Judge DM Davis.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed.

Course outline:

The object of this course is to gain greater insight into constitutional law by means of learning about litigation. The course focuses on one key area (for example in 1997 abortion was the chosen topic). The course examines key constitutional issues (eg. life, equality, privacy, dignity, bodily integrity) relevant to this issue. A study is also made of the rules of the Constitutional Court. Thereafter students are divided into legal teams and with assistance are required to prepare heads of argument as if the matter is to be heard before the Constitutional Court. The matter is then argued fully. In this way the critical principles of constitutional law and the requirements for constitutional litigation are taught.

DP requirements: None.

Assessment: The mark is given for group work (to be negotiated with the class) based on heads of argument and oral argument.

PBL4105F CURRENT ISSUES IN CONSTITUTIONAL LAW (was PBL5042F)

HEQF credits: 4.5 at level 8

Final Level, half course, first semester, two lectures per week (one double lecture).

Course co-ordinator(s): Professor P de Vos and Ms M du Plessis.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed.

Course outline:

The course builds on foundations laid by Constitutional Law. It examines a range of historical and theoretical perspectives of constitutionalism and constitutional interpretation and provides jurisprudential framework for the examination of specific areas. These are chosen from time to time taking into account the issues that are most current. They usually include both the constitutional regulation of the structures of government and the entrenchment of fundamental rights. The course has a strong comparative and international perspective. The course is run on a seminar basis.

DP requirements: None.

Assessment:

An essay submitted in the last week of teaching in the first semester 100%

PBL4106S INTERNATIONAL HUMAN RIGHTS LAW AND THE CONSTITUTION
(was PBL5043S)

HEQF credits: 4.5 at level 8

Final Level, half course, second semester, two lectures per week (one double lecture).

Course co-ordinator(s): Ms M du Plessis.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed.

Course outline:

This course examines the relationship between International Human Rights Law and the South African Constitution. The focus is on the reception and enforcement of international human rights norms under our Constitution. We also consider the extent to which the South African Bill of Rights can and does give effect to international human rights norms, which seek to be universal. Areas covered include: the relationship between international and municipal law; the development of international human rights norms and standards; the tension between universal norms and cultural specificity; content and interpretation of the South African Bill of Rights; and the suitability of domestic Bills of Rights for receiving and implementing international human rights law.

DP requirements: None.

Assessment:

One written examination in November (2 hour) 60%

Written assignments and class participation 40%

PBL4108F CRIME AND CRIMINOLOGY (was PBL5822F)

HEQF credits: 4.5 at level 8

Final Level, half course, first semester, two lectures per week.

Course co-ordinator(s): Professor E van der Spuy.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed.

Course outline:

The aims of this course are to critically engage with a select number of issues of criminological relevance to the South African society as one particular case study of a developing society in which the intractability of the problem of crime and its containment is widely recognised. For each of the substantive areas to be discussed we will organize our discussion around a number of key questions: What are the key features of criminological discourse on issue such as: gangs; corporate crime; gendered violence; organised crime; youth violence; crime prevention etc.

What are the main strategies, (social, legal and administrative) for addressing the particular phenomenon?

What is known about the size, shape and content of the phenomenon in South Africa?

What are the main features of public/popular debate on the issue in South Africa?

If possible field visits to criminal justice institutions will be arranged.

DP requirements: None.

Assessment:

Essays / tests	50%
June examination (2 hour)	50%

RDL4101Z INTRODUCTION TO AMERICAN LAW (was RDL5034Z)

HEQF credits: 4.5 at level 8

Final Level, Winter Term, 3 double lectures per week.

Course co-ordinator(s): Associate Professor M Paleker.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed. The faculty reserves the right to limit classes to 17 students.

Course outline:

Sources of American Law (historical and contemporary), the structure of the courts, doctrine of precedent, levels of government, legislative process, state and federal spheres of authority and responsibility, the application of the constitutional law in a federalist state, principles of statutory interpretations, and the mechanics of the civil and criminal justice system.

DP requirements: None.

Assessment:

One 2 hour examination	100%
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RDL4102S DIGNITY, EQUALITY AND FREEDOM – FUNDAMENTAL RIGHTS AND FUNDAMENTAL VALUES (was RDL5035S)

HEQF credits: 4.5 at level 8

Final Level, second semester, two lectures per week.

Course co-ordinator(s): Professor AJ Barnard-Naudé.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed.

Course outline:

This course looks firstly at the meaning and content of the references to dignity, equality and freedom and fundamental values in the Constitution, as well as what role these values should play in the constitutional enterprise.

Secondly, the course provides an historical and comparative overview of the fundamental rights identified above.

Thirdly, there is a focus on current issues (mostly derived from recent cases) involving these fundamental rights.

DP requirements: None.

Assessment:

Satisfactory attendance and the completion of course-

work that consists of seminars and short papers

(1000-1500 words)	60%
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An essay (3000 words)	40%
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RDL4103H SELECTED STUDIES IN ROMAN LAW (was RDL5036F)

HEQF credits: 4.5 at level 8

Final Level, whole year, two lectures per week.

Course co-ordinator(s): Associate Professor H Scott and Professor R Evans Jones.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed.

Course outline:

This course centres on the close reading and analysis of selected titles from Justinian's *Digest* (in translation) in areas such as sale and damage to property, with the assistance of selected literature (in English). We will also consider the afterlife of these Roman sources in the civilian and common-law traditions. The course will appeal to students with an interest in legal history and comparative

law, and to those seeking to deepen their understanding of key doctrinal issues in South African private law. *Please note that a knowledge of Latin is not required.

DP requirements: None.

Assessment:

November examination (2 hour)	100%
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RDL4104S MUSLIM PERSONAL LAW (was RDL4104F) (Not on offer in 2013)

HEQF credits: 4.5 at level 8

Final Level course, second semester, two lecturers per week.

Course co-ordinator: Dr W Amien.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed.

Course outline:

This is a final year elective for students in the Law Faculty and Humanities. It will deal with the foundations of Islamic Law and Muslim Personal Law, the potential for the reform of Muslim Personal Law, models of recognition of Muslim Personal Law and the implications of recognition and non-recognition of Muslim Personal Law for human rights including gender equality and freedom of religion.

DP requirements: None.

Assessment:

Class attendance and participation	10%
One seminar presentation	10%
One research paper	30%
One November examination (3 hour)	50%

Class participation may require the submission of reflection pieces.

The seminar presentation will be based on the given/chosen research paper.

RDL4105F HIV/AIDS, BIOETHICS AND THE LAW (was RDL5071F)

HEQF credits: 4.5 at level 8

Final Level course, first semester.

Course co-ordinator(s): Associate Professor A Pope.

Prerequisites: All Preliminary and Intermediate Level courses to have been completed.

Course outline:

1. Theoretical background on human responses to illness and suffering; theories of responsibility; reflections on the relationship between ethics, politics and law.
2. Introduction to bioethics and the way medical and scientific ethics intersect with the law; overview on the broad-ranging impacts in HIV on South African society and the implications of these impacts, especially as they relate to responsibility, autonomy and paternalism from a South African human rights perspective.
3. Engagement with current law, including cases and applicable statutes and policy documents to develop an analytical approach to developing the law and policy to improve health care services and deliver (with special focus on HIV treatment and prevention), and society's responses to crises like the HIV pandemic.

DP requirements: None.

Assessment:

Satisfactory attendance and completion of course-work that consists of seminars and short papers	30%
June examination assignment	70%

RDL4107S THE SOUTH AFRICAN LAW OF DELICT IN THEORETICAL AND COMPARATIVE PERSPECTIVE

HEQF credits: 4.5 at level 8

Final Level course, second semester, two lecturers per week.

Course co-ordinator(s): Professor AG Fagan and Dr AM Price.

Course outline:

This course aims to deepen LLB graduates' understanding of a core part of South Africa law, namely its law of delict, by getting them to explore its theoretical foundations and to compare it to the law of delict or tort in other legal systems.

DP requirements: None.

Assessment:

Short class tests (on the readings for the course)	30%
One long paper (to be presented at a seminar)	70%

Moot options (4.5 Credits)

CML4106H	Moot	Department of Commercial Law (was CML5421H)
DOL3000X	Moot	Moot Competition
RDL4106H	Moot	Department of Private Law (was RDL5418H)
PBL4107H	Moot	Department of Public Law (was PBL5432H)

The option of doing a moot is available in each department in the Faculty. Students should identify the department in which they wish to moot and may register for a moot only with the permission of a member of the department concerned. Usually departments will require at least two students before a moot option will be offered.

To complete a moot option successfully, students must submit adequate heads of argument and participate in moot proceedings presided over by more than one person, at least one of whom should not be a member of the Faculty.

Assessment: Heads of argument count for 100% unless the supervisor agrees to allocate a percentage of the mark to oral presentation. The percentage of the mark allocated to oral presentation may not exceed 50%.

Research component: Final Level

1. Each student must complete a research paper. Students can prepare their papers in two ways -
 - (i) by working individually under the supervision of a member of the Faculty; or
 - (ii) by participating in one of the research focus groups listed below. The purpose of these groups is to draw together students with similar research interests and to provide them with an opportunity to discuss their work in the group under the guidance of a member of the Faculty while preparing their independent research papers.
2. Independent research papers should be between 5 000-8 000 words in length.
3. The final title of research to be done under individual supervision of a member of staff must be approved by registration day.
4. All papers must be completed by the end of the mid-term vacation in the second semester of the final LLB year (i.e. mid-September).
5. Students may be expected to attend a number of general lectures on writing and structuring research papers at the start of the academic year.
6. Research focus groups are limited to 15 students each.
7. Students may do more than one research paper (subject to the usual conditions). Each research

paper counts 9 credits. All research papers must comply with the requirements for the research papers written in fulfilment of the Final Level research component of the LLB.

Codes for Independent Research Papers

CML4401H	Commercial Law (was CML5401H)
PBL4401H	Public Law (was PBL5401H)
PBL4402H	Criminal Justice (was PBL5406H)
RDL4401H	Private Law (was RDL5406H)

Codes for Research Focus Groups

CML4301H	Law Development, Labour and Social Policy (was CML5402H)
CML4302H	Commercial Law (was CML5425H) (<i>Not on offer in 2013</i>)
CML4303H	Social Security (was CML5426H) (<i>Not on offer in 2013</i>)
CML4304H	Law and Regional Integration in Africa (was CML5429H) (<i>Not on offer in 2013</i>)
CML4305H	Company Law
CML4306H	Intellectual Property Law (was RDL4302H)
PBL4301H	Punishment and the Constitution (was PBL5416H)
PBL4302H	International Criminal Law (was PBL5421H)
PBL4303H	Public Law (was PBL5439H)
PBL4304H	Women and the Legal System (was PBL5440H)
PBL4305H	Environmental Law (was PBL5444H)
RDL4301H	Private Law (was RDL5423H)

Course outlines:

CML4301H RESEARCH FOCUS GROUP: LAW DEVELOPMENT, LABOUR AND SOCIAL POLICY (was CML5402H)

HEQF credits: 9 at level 8

Final Level research focus group, one seminar of one and a half hours per week, first semester.

Course co-ordinator(s): Associate Professor D Collier.

Prerequisites: The faculty reserves the right to limit classes to 15 students.

Course outline:

The aim of the course is to provide a discussion group for students who wish to examine some critical aspects of law and development, labour market regulation and social policy in South Africa and the SADC region in the context of comparative and international developments.

The course will be conducted on the basis of seminars led by the convener and guest lecturers, with students taking turns to make presentations on areas chosen (in consultation with the convener) for their independent research. Students will be required to read certain prescribed texts and participate in discussion.

The seminars will focus initially on selected major areas of debate around the role of law in development, labour market regulation in the era of globalisation, developments in case law, social security principles and implementation, statutory and extra-legal social dialogue arrangements such as NEDLAC and the “millennium” initiatives, and prospects for common approaches to development, the harmonisation of labour standards and social policy in Southern Africa. More specific areas of focus may include, among others, law and development, freedom of association, equity and discrimination in employment, workers’ participation, dispute prevention and resolution, employee benefits, pensions, HIV/AIDS in the workplace, health and safety and so forth. The choice of topics will take account of both critical trends and student interests.

After the seminars, students will have the opportunity to develop their presentations or chosen areas into research papers under personal supervision in keeping with the course requirements.

DP requirements: None.

Assessment: A supervised research paper, which may be presented initially to a particular seminar

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or submitted independently before the end of September.

Attendance at and satisfactory participation in seminars	20%
Final research paper	80%

CML4302H RESEARCH FOCUS GROUP: COMMERCIAL LAW (was CML5425H) (*Not on offer in 2013*)

HEQF credits: 9 at level 8

Final Level research focus group, one seminar of one and a half hours per week, first semester.

Course co-ordinator(s): Professor A Rycroft.

Prerequisites: The faculty reserves the right to limit classes to 15 students.

Course outline:

Every student is required to complete a single paper on the topic dealt with in the seminar group of which he or she is a member.

All groups will start with a series of general seminars intended to provide students with a background to research skills and methodology.

Students will thereafter be supplied with reading material that is relevant to the subject matter of the seminar group to which they belong. Students are expected to be familiar with this material for the purposes of group discussion. During this time students will discuss their research proposals and prepare a draft paper.

In the remaining seminars students will present their papers to the group. One member of the group will be tasked with reading a particular paper and responding to its author. All papers will be discussed generally by the group. The convener will also assess and comment on all these papers. Students will then be expected to revise their papers for final submission in September.

DP requirements: None.

Assessment:

Attendance at and satisfactory participation in seminars	20%
Final research paper	80%

CML4303H RESEARCH FOCUS GROUP: SOCIAL SECURITY (was CML5426H) (*Not on offer in 2013*)

HEQF credits: 9 at level 8

Final Level research focus group, one seminar of one and a half hour per week, first semester.

Course co-ordinator(s): TBA.

Prerequisites: The faculty reserves the right to limit classes to 15 students.

Course outline:

The aim of the course is to introduce the student to the basics of social security, legal and related issues, at an advanced level. It is conceived as supplementary to 'social law' topics in labour law. It is also intended to enhance the students' ability to conduct research on social aspects of the law.

It seeks to ensure that the student has an understanding of the legal aspects of social security and implications for social policy. The basic principles of social security will be canvassed. It is hoped that the student will come to appreciate and better understand the 'law-in-context' approach to the study of labour law.

The first part of the course consists of introductory seminars focusing on the concept of social security, sources of social security law, the administration of social security, scope and application of the solidarity principles, and social risks and social benefits. Specific benefits such as old age pensions, retirement funds, compensation for occupational injuries and diseases, disability, unemployment, maternity, and family benefits will also be dealt with briefly. In addition, poverty alleviation and financing issues will also be considered.

The second part will be in a series of seminars during which the student will present his/her independent research proposal to the class for discussion.

The third part will give the student the opportunity to write up the research paper, taking into account any feedback from peer discussions. The draft paper should then be handed in for comment. The revision paper will be submitted in September.

DP requirements: None.

Assessment:

Attendance at and satisfactory participation in seminars	30%
Final research paper	70%

CML4304H RESEARCH FOCUS GROUP: LAW AND REGIONAL INTEGRATION IN AFRICA (was CML5429H) (*Not on offer in 2013*)

HEQF credits: 9 at level 8

Final Level research focus group, half course, first semester, one lecture per week.

Course co-ordinator(s): TBA.

Prerequisites: The faculty reserves the right to limit classes to 15 students.

Course outline:

The aim of the course is to provide a discussion group for students who wish to examine some critical aspects of law and regional integration in Africa. It also aims to introduce students to research in this growing and crucial area of law.

This course will combine aspects of both commercial and public law in relation to regional integration in Africa. It will therefore examine legal aspects of economic and political integration in Africa. The course will be conducted on the basis of seminars led by the course conveners and guest lecturers. The seminars will mainly focus on historical development of regionalism in Africa, theories of regional integration, the primary legal framework of the African Union (including the debate on the United States of Africa), 'soft' mechanisms of the African Union such as NEPAD and the African Peer Review Mechanism both of which are aimed at facilitating economic development, democratisation and regional integration in Africa, the role of African sub-regional organisations and their relationship with the African Union e.g SADC, Harmonisation of African laws and implementation of African economic agreements into domestic law in Africa and finally selected challenges facing regional integration in Africa.

After the seminars, students will be expected to make presentations on their chosen area related to law and regional integration in Africa with the view of developing the presentations into research papers under supervision of the course conveners.

DP requirements: None.

Assessment:

Attendance and satisfactory participation in seminars.	20%
Final research paper.	80%

CML4305H RESEARCH FOCUS GROUP: COMPANY LAW

HEQF credits: 9 at level 8

Final Level research focus group, one seminar of one and a half hours per week, first semester.

Course co-ordinator(s): Professor RC Williams.

Prerequisites: The faculty reserves the right to limit classes to 15 students.

Course outline:

Every student is required to complete a single paper on the topic dealt with in the seminar group of which she is a member.

All groups will start with a series of general seminars intended to provide students with a background to research skills and methodology. Students will thereafter be supplied with material that is relevant to the subject matter of the seminar group to which they belong. Students are expected to be familiar with this material for the purposes of group discussion. During this time students will discuss their research proposals and prepare a draft paper.

In the remaining seminars students will present their papers to the group. One member of the group

will be tasked with reading a particular paper and responding to its author. All papers will be discussed generally by the group. The convener will also assess and comment on all these papers. Students will then be expected to revise their papers for final submission in September.

DP requirements: None.

Assessment:

Attendance at and satisfactory participation in seminars	20%
Final research paper	80%

CML4306H RESEARCH FOCUS GROUP: INTELLECTUAL PROPERTY LAW (was RDL4302H)

HEQF credits: 9 at level 8

Final Level research focus group, one seminar of one and a half hours per week, first semester.

Course co-ordinator(s): Ms L-A Tong.

Prerequisites: The faculty reserves the right to limit classes to 15 students.

Course outline: The object of the course is to provide a forum for students who wish to conduct research in intellectual property law-related areas. There will be three phases.

During Phase I there will be a series of introductory seminars to introduce students to the range of topical issues in intellectual property law, such as geographical indications, protection of indigenous knowledge, international trade, pharmaceutical patents, human rights aspects of intellectual property, the effects of digitization and the internet, biotechnology patents and the challenges faced by developing countries to implement intellectual property protection. During this period, students will refine their research proposals in consultation with an appropriate supervisor.

Phase II will provide the opportunity for students to present their papers to the group for discussion and feedback. Phase III will require students to finalise their papers, taking into account the feedback received during Phase II.

DP requirements: None.

Assessment:

Attendance and participation in seminars	20%
The research paper in final form counts	80%

PBL4301H RESEARCH FOCUS GROUP: PUNISHMENT AND THE CONSTITUTION (was PBL5416H)

HEQF credits: 9 at level 8

Final Level research focus group, thirteen seminars of one and a half hours each over two semesters.

Course co-ordinator(s): Ms K Phelps.

Prerequisites: The faculty reserves the right to limit classes to 15 students.

Course outline:

The object of the course is to provide a discussion group for students who wish to consider the way in which the Constitution influences the imposition and implementation of punishment. Introductory seminars consider the traditional justifications for punishment and the impact of the Constitution on them. Students present their research papers, from a constitutional perspective, on specific punishments that have been imposed or on aspects of the treatment of prisoners, such as medical care or the right to vote.

DP requirements: None.

Assessment:

Attendance at and satisfactory participation in seminars	10%
Final research paper	90%

PBL4302H RESEARCH FOCUS GROUP: INTERNATIONAL CRIMINAL LAW

(was PBL5421H)

HEQF credits: 9 at level 8

Final level research group, one seminar of one and a half hours per week, first semester.

Course co-ordinator(s): Ms H Woolaver.**Prerequisites:** The faculty reserves the right to limit classes to 15 students.**Course outline:** The object of the course is to provide a discussion group for students who wish to do independent research papers on international criminal law. Students wishing to research in any area that broadly falls under the rubric of international criminal law may join this group. The course is divided into three parts. The first part consists of five introductory seminars covering the historical development of international criminal law; the substantive core crimes of genocide, crimes against humanity and war crimes; the legal requirements of modes of liability; the structure and procedure of the International Criminal Court and internationalised criminal tribunals and selected theoretical critiques. For these seminars students are required to read certain prescribed texts and participate in discussion. In the second and third parts of the course, students present seminars on their research proposals and early drafts respectively. From the beginning of the second part, regular submission of written work is required as students analyse their research material, formulate a research proposal and develop their arguments.

By the start of the third term, a draft paper must be handed in for comment, after which students are expected to revise it for final submission in September.

DP requirements: None.**Assessment:**

Attendance at and satisfactory participation in seminars	10%
Final research paper	90%

PBL4303H RESEARCH FOCUS GROUP: PUBLIC LAW (was PBL5439H)

HEQF credits: 9 at level 8

Final Level research focus group, one seminar of one and a half hours per week, first semester.

Course co-ordinator(s): Ms M du Plessis.**Prerequisites:** The faculty reserves the right to limit classes to 15 students.**Course outline:** The object of the course is to provide a discussion group for students who wish to do independent research papers in public law subjects. Students wishing to do research in any area that broadly falls under the rubric of public law may join this group. Subjects covered will usually include international law, constitutional law, human rights and administrative law, but students are encouraged to choose research in other, more specialised areas. The group starts with a series of seminars that provide a background to research in public law. During this period students also write and discuss their research proposals. In the remaining seminars students will present their papers to the group for discussion. The convener or another member of the Faculty supervises these papers and students are then expected to revise them for final submission in September.**DP requirements:** None.**Assessment:**

Attendance at and satisfactory participation in seminars	20%
Final research paper	80%

PBL4304H RESEARCH FOCUS GROUP: WOMEN AND THE LEGAL SYSTEM

(was PBL5440H)

HEQF credits: 9 at level 8

Final Level research focus group, one seminar of one and a half hours per week, first semester.

Course co-ordinator(s): Associate Professor D Smythe.**Prerequisites:** The faculty reserves the right to limit classes to 15 students.

Course outline: The object of the course is to provide a discussion group for students who wish to examine aspects of South African law in the light of feminist theory for their independent research paper. The course is divided into three parts. In the first six seminars, to provide background, we consider feminist theories of law and the position of women in South African Law. For these seminars students are required to read certain prescribed texts and participate in discussions. During these seminars attention is also paid to research skills and research methodology.

During the second part of the series of seminars, students present their independent research papers to the group. With the guidance of the convener, students can select a subject of their choice. Possible subjects include feminist and social theory; the constitutional protection of women; family law including divorce, maintenance, adoption and custody, abortion and surrogate motherhood; the law relating to violent crimes against women, including rape and battery; employment law, including sex discrimination, equal pay, maternity benefits, sexual harassment and domestic workers; and the law governing censorship and pornography. During the third part of the course no seminars are conducted but students have an opportunity to rewrite their papers, taking into account the group discussion.

DP requirements: None.

Assessment:

Attendance at and satisfactory participation in seminars	20%
Final research paper	80%

PBL4305H RESEARCH FOCUS GROUP: ENVIRONMENTAL LAW (was PBL5444H)

HEQF credits: 9 at level 8

Final Level research focus group, one seminar of one and a half hours per week, first semester.

Course co-ordinator(s): Professor A Paterson.

Prerequisites: Students must take, or have previously taken, PBL4101F Environmental Law (was PBL5014F). The faculty reserves the right to limit classes to 15 students.

Course outline: Environmental law is arguably one of the fastest growing areas of law internationally and domestically. This is not surprising given growing human concern over the current state of the environment and the numerous threats it faces as a result of increased human activity. The object of the course is to introduce students who wish to undertake independent research papers on the area.

The course is divided into three parts. The first part consists of a series of introductory seminars focussing on key environmental challenges, international and domestic approaches to regulate these challenges, key regulatory tools inherent in these approaches, a critique of their effectiveness and future challenges facing the development of an effective environmental legal regime. The aim of this part of the course, within which a number of contemporary environmental documentaries will be screened, is to enable students to identify relevant areas to undertake research in and to develop their research proposal. The second part of the course will take the form of a series of research seminars in which students will present their draft research papers to the group for discussion. The aim of this part of the course is to provide a supportive environment within which to receive and provide constructive commentary on your own research paper and that of your fellow course participants. The third part will provide an opportunity for students to revise their draft research papers, under the supervision of the course co-ordinator, for final submission in September.

DP requirements: None.

Assessment:

Attendance at and satisfactory participation in seminars	20%
Final research paper	80%

RDL4301H RESEARCH FOCUS GROUP: PRIVATE LAW (was RDL5423H)

HEQF credits: 9 at level 8

Final Level research focus group, one seminar of one and a half hours per week, first semester.

Course co-ordinator(s): Professor H Mostert.**Prerequisites:** The faculty reserves the right to limit classes to 15 students.

Course outline: The object of the research focus group is to provide a discussion forum for students who wish to do research papers in private law subjects. Each year one or more areas of law (or topics) will be identified (depending on the availability of the staff). This year the focus is on the law of property. The research focus group presupposes knowledge of property law. It encourages specialisation in topics related to, but not necessarily covered in the core course on property law. Topics may vary according to the interests and preferences of the group members, but may for instance include the following: (1) reform of expropriation law; (2) policies on foreign landownership; (3) methods employed to fast-track land reform; (4) developments in mineral and petroleum law; (5) reform of the land registration system; (6) new developments in share blocks, sectional title and time-sharing; (7) communal tenure; (8) land regimes in transition; (9) delivery on housing and access to land; (10) influence of the constitution on the development of Land Law; (11) evictions.

Upon completion of this course, students should have acquired specialist knowledge in a theme of their voice, within the general parameters of land law. They should also have refined their research and writing skills, and have gained further experience in critical thinking and the oral and written presentation of a researched thesis/ argument.

DP requirements: None.**Assessment:**

Year mark	20%
Final research paper	80%

POSTGRADUATE QUALIFICATIONS

The Faculty of Law at the University of Cape Town has been offering approved courses for Master of Laws and Postgraduate Diploma purposes since the early 1980s. These courses have been introduced and expanded to meet the particular demands of and to complement the research work undertaken by specialised institutes and research units associated with the Faculty.

The growth in the number of courses in recent years has emphasised the need to produce more integrated programmes. Simultaneously, changes in the social and political environment in South Africa have presented the Faculty with the opportunity to develop its postgraduate studies programme to meet a new set of challenges within an African and international context.

With these ends in mind, the School for Advanced Legal Studies was created in 1992 as the home for existing and planned elements of postgraduate law studies at UCT. It is located within the Faculty of Law, and has assumed responsibility for the co-ordination of all higher coursework teaching. Its objectives extend to the promotion of research and academic exchanges with students and staff at other universities.

Rules and requirements for degrees and diplomas

For LLM and MPhil purposes, students must select and complete four courses or their equivalent and submit a dissertation of not more than 25 000 words. Full-time students are expected to complete the requirements within an academic year (February to November or July to June), and part-time students are expected to complete the requirements within two years, save that the dissertation may be submitted by not later than the Friday before the first term starts, the year following the completion of the coursework for students who have completed their coursework in December and 15 September of the same year for students who have completed their coursework in June.

For Postgraduate Diploma purposes, students must select and complete two courses or their equivalent and submit a research paper of not more than 12 500 words by the Friday before the first term starts, the year following first registration for students who have completed their coursework in December and 15 September of the same year for students who have completed their coursework in June. Diploma students may, subject to relevant admission criteria, apply to convert their registration to the LLM programme.

Courses will typically involve between 3-4 contact hours per week, although teaching periods may vary from course to course. Details may be obtained from the course convener in each instance.

The Postgraduate Centre

The Postgraduate Centre was recently established in the Otto Beit Building, Upper Campus. This state-of-the-art facility houses the executive committee of the Postgraduate Students Association (PGSA) as well as the Postgraduate Funding Office. The centre is equipped with IT facilities and includes a seminar room. This facility is open to all Master's and PhD students as well as postdoctoral research fellows. Postgraduates are encouraged to make full use of this centre, in particular the Funding Office, which administers all postgraduate bursaries and scholarships. The Postgraduate Centre may be contacted at gradcentre@uct.ac.za or visited at www.pgfo.uct.ac.za.

Rules for the Master of Laws (LLM) in Approved Courses and a Minor Dissertation

These rules must be read in conjunction with the general rules for degrees and diplomas in Book 3: *General Rules and Policies*.

FMC1 The Faculty offers a Master of Laws (LLM) degree which is examined by coursework and a minor dissertation, subject to these rules in particular.

Specialist areas:

FMC2 The degree may be conferred without specialisation ("General" below) or in any of the following specialist areas:

Specialisation	Academic Plan Code	Qualification	
		LLM	MPhil
		Code	Code
Commercial Law	CML01	LM003	LM002
Comparative Law in Africa	CML12	LM003	LM002
Constitutional and Administrative Law	PBL01	LM003	LM002
Criminal Justice	PBL02	LM003	LM002
Dispute Resolution	CML11	LM003	LM002
Environmental Law	PBL04	LM003	LM002
General	RDL03	LM003	LM002
Human Rights Law	PBL05	LM003	LM002
Intellectual Property Law	RDL04	LM003	LM002
International Law	PBL06	LM003	LM002
International Trade Law	CML06	LM003	–
Labour Law	CML07	LM003	LM002
Marine and Environmental Law	PBL07	LM003	LM002
Public Law	PBL09	LM003	LM002
Shipping Law	CML09	LM003	LM002
Social Justice	PBL10	LM003	LM002
Tax Law	CML10	LM003	LM002

The field of law in which the dissertation and three of the four courses of the degree have been fulfilled will determine the area of specialisation.

Admission:

FMC3 A person may be considered for admission as a candidate for the degree of Master of Laws if -

1. he or she has a law degree of the University or an equivalent degree of another University or institution recognised by the Senate for the purpose; or
2. he or she has in any other manner attained a level of competence, which, in the opinion of Senate, on the recommendation of the Faculty of Law, is adequate for the purposes of admission as a candidate for the degree.
3. in the case of an applicant with an undergraduate qualification from a foreign institution, he or she has submitted evidence of proficiency in English of a sufficiently high standard to undertake postgraduate studies in Law. Evidence of proficiency may include an applicant's English language results at school and university level, and/or an applicant's TOEFL test results. An applicant may be required to pass a law-specific English proficiency test before being permitted to register in the Faculty.

Obtaining the degree:

FMC4 A candidate must undertake advanced study in four approved courses (or the equivalent) and complete a minor research dissertation under the guidance of a supervisor appointed by Senate. A candidate must obtain at least 50% for each course and at least 50% for the minor dissertation.

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Examination:

- FMC5.1 A candidate may be required to submit prepared assignments, participate in debates or moots, and undergo a written and/or oral examination in all or any of his/her approved courses and/or minor dissertation.
- FMC5.2 The candidate must submit a minor dissertation of not more than 25 000 words on a subject approved by Senate which must be of legal interest and related to one of the approved courses.
- FMC5.3 A candidate who has failed any approved course with 47% or more has the right to an oral examination in that course.
- FMC5.4 Any such oral examination shall be convened upon a minimum of three days notice given by the Faculty to the candidate, and shall be held at the Faculty in the presence of two examiners, one of whom shall be external to the course concerned, but who may be a member of the Faculty staff.
- FMC5.5 Supplementary examinations are not set for any of the approved courses.

Credit and exemption:

- FMC6.1 For the purpose of granting credit for and exempting a candidate from a maximum of two of the courses prescribed under FMC4, Senate may accept examinations in an appropriate course of equivalent weight passed at this or another university or institution recognised for this purpose; provided that Senate may, in advance, approve a course or courses, which, if completed successfully, will allow credit for and exemption from a course or courses prescribed for the degree. Such approval will be valid for one year but may be renewed on the recommendation of the Faculty of Law.
- FMC6.2 Notwithstanding Rule FMC6.1, a candidate will not be admitted to the degree in terms of Rule FMC4 unless he or she has completed at least the majority of the prescribed courses and the minor dissertation at this University.
- FMC6.3 Except with the permission of Senate, no student may be granted credit towards the LL.M degree for courses successfully completed towards the Postgraduate Diploma in Law, after the Diploma has been conferred on that student.

Date for submission of minor dissertation:

- FMC7.1 The proposal for the minor dissertation must be submitted to the supervisor no later than the time at which half the coursework requirements of the degree have been fulfilled.
- FMC7.2 The minor dissertation must be submitted by no later than the Friday before the first term of the year following the Final Level of registration for approved courses (see Rule FMC11) for students who have completed their coursework in December and 15 September of the same year for students who have completed their coursework in June. Should a longer period be required to complete a dissertation, a formal application for extension must be submitted. This will have fee implications. Candidates have to re-register in February each year while completing the degree.

Exclusion from a course

Minimum requirements for readmission to the degree:

- FMC8.1 A candidate must pass three of the four courses in order to qualify for readmission.
- FMC8.2 Should a candidate fail a course he or she may only continue by taking another course, unless Senate gives permission to repeat the course failed or study for a longer period.
- FMC8.3 A candidate who fails the minor dissertation may be permitted by Senate on one occasion only to submit another minor dissertation, which must be on a different topic.

Exclusion from the degree:

- FMC9.1 A candidate who fails two courses or the same course twice will not be allowed to reregister for any other LLM course, except with the permission of Senate. For the purpose of this Rule, a double course shall be regarded as one course.
- FMC9.2 A candidate who fails the minor dissertation twice or does not submit the dissertation timeously, having been given an extension of time (see FMC7) will not be allowed to re-register for either the Degree nor any further postgraduate study, except with the permission of Senate.

Duration of programme:

- FMC10 Except with the permission of Senate:
1. a full-time candidate must complete the approved coursework required for the degree in one academic year (two courses per semester) and the dissertation in accordance with Rule FMC7; and
 2. a part-time candidate must complete the approved coursework required for the degree within two academic years (one course per semester) and the dissertation in accordance with Rule FMC7.

Minor dissertation:

- FMC11 The minor dissertation must be satisfactory in arrangement and expression and must be typed and printed. A candidate must submit three copies (temporary bindings) and an electronic version directly to the Faculty Office.

The following statement must appear on the title page:

Research dissertation presented for the approval of Senate in fulfilment of part of the requirements for the (*qualification for which a student is registered*) in approved courses and a minor dissertation. The other part of the requirement for this qualification was the completion of a programme of courses.

I hereby declare that I have read and understood the regulations governing the submission of (*qualification for which student is registered*) dissertations, including those relating to length and plagiarism, as contained in the rules of this University, and that this dissertation conforms to those regulations.

Note: One unbound copy is lodged with Special Collections, Chancellor Oppenheimer Library.

The electronic version should be in Adobe (.pdf) or Word (.doc) format. Free software for the pdf format is on the Law fileserver and is also available from the School for Advanced Legal Studies.

Publication of minor dissertation:

- FMC12 No publication may, without the prior permission of the University, contain a statement that the published material was or is to be submitted in part or in full for the degree.

Distinction:

- FMC13.1 The degree may be awarded with distinction.
- FMC13.2 For the degree to be awarded with distinction a candidate must:
1. complete the coursework in one year if full-time or in two years if part-time;
 2. submit the minor dissertation no later than the Friday before the first term of the year following the completion of the coursework for students who have completed their coursework in December and 15 September of the same year for students who have completed their coursework in June;
 3. not be permitted to count work for which he or she may have been granted credit towards the degree in respect of work completed towards another degree or diploma; and
 4. obtain an average mark of at least 75%, the minor dissertation counting for 50% of the examination.

Exemption from or modification of rules:

FMC14 Any exemption from or modification of the Rules for the LLM must be approved by Senate.

NOTES:

- (a) *Courses on offer may be added to from time to time or a particular course may not be offered in a particular year.*
- (b) *Candidates for the degree must at the time of application indicate which courses they intend to pursue. Certain courses have distinct admission criteria so that admission to the LLM programme does not necessarily signify acceptance for such courses. Foreign students should note that some of the courses assume detailed knowledge of South African law as the basis for further study: it is therefore unlikely that they would be admitted to such a course.*
- (c) *The following general policy exists currently with regard to applicants: an applicant with an average of 70% will generally be granted automatic admission, while an applicant with an average of between 60% and 69% will be subject to discretionary admission. Subsequent study and/or related work experience is a recommendation. For those with a BProc degree, an average mark greater than 70% is required, unless there is evidence of additional/subsequent work experience appropriate to the courses chosen.*

Rules for the Master of Philosophy (MPhil) in Approved Courses and a Minor Dissertation

These rules must be read in conjunction with the general rules for degrees and diplomas in Book 3: *General Rules and Policies*.

- FMR1 The Faculty offers a Master of Philosophy degree which is examined by coursework and a minor dissertation, in the following circumstances:
- (i) where a law graduate wishes to pursue Master's level studies in law as well as in inter-Faculty cognate topics, such that the award of an LLM degree would be inappropriate; or
 - (ii) where a non-law graduate wishes to pursue Master's level studies either in law as well as in inter-Faculty cognate topics or entirely in law.

Specialist areas:

FMR2 The degree may be conferred without specialisation, in Law or in any of the specialist areas listed in Rule FMC2 above.

Admission:

FMR3 In addition to those who may be considered for admission as candidates for the LLM degree (see Rule FMC3.1 and FMC3.2 above), graduates with an Honours degree of the University or an equivalent degree of another university or institution recognised by Senate for this purpose may be considered for admission as candidates for a degree of Master of Philosophy.

In the case of an applicant with an undergraduate qualification from a foreign institution, he or she has submitted evidence of proficiency in English of a sufficiently high standard to undertake postgraduate studies in Law. Evidence of proficiency may include an applicant's English language results at school and university level, and/or an applicant's TOEFL test results. An applicant may be required to pass a law-specific English proficiency test before being permitted to register in the Faculty.

Further rules:

Rules FMC4 to FMC14 for the LLM degree (above) apply unchanged to the MPhil degree by coursework, except that 'MPhil / Master of Philosophy' is substituted for 'LLM / Master of Laws' where it appears.

Rules for the Postgraduate Diploma in Law

The following are the rules for all Postgraduate Diploma in Law programmes; additional rules applicable to certain Diplomas are included after these generally applicable rules.

FG1 The Faculty offers a Postgraduate Diploma in Law which is examined by coursework and research paper, subject to these rules.

Specialist areas:

FG2 The Postgraduate Diploma in Law may be conferred without specialisation ("General" below) or in any of the following specialist areas:

Specialisation	Qualification	Academic Plan Code
	PG Diploma in Law	
	Code	
Commercial Law	LG002	CML01
Comparative Law in Africa	LG002	CML12
Compliance Management	LG002	CML08
Constitutional and Administrative Law	LG002	PBL01
Criminal Justice	LG002	PBL02
Dispute Resolution	LG002	CML11
General	LG002	RDL03
Environmental Law	LG002	PBL04
Human Rights Law	LG002	PBL05
Intellectual Property Law	LG002	RDL04
International Law	LG002	PBL06
Labour Law	LG002	CML07
Marine and Environmental Law	LG002	PBL07
Public Law	LG002	PBL09
Shipping Law	LG002	CML09
Social Justice	LG002	PBL10
Tax Law	LG005	CML10

The area of general specialisation will be determined by the field of law in which the research paper and one course for the Postgraduate Diploma have been fulfilled. Rules regarding areas of specialisation, in addition to those below, appear in the **Postgraduate Study Programmes** section of this book.

Admission:

FG3 A person may be considered for admission as a candidate for the Postgraduate Diploma in Law if:

1. he or she has a law degree of the University, or an equivalent degree of another university or institution recognised by Senate for this purpose;
2. he or she is a graduate of this University, or of any other university or institution recognised by Senate for this purpose, who has completed such course or courses as in the opinion of Senate on the recommendation of the Faculty of Law, qualify him/her for admission to the Diploma;
3. he or she is an enrolled advocate or attorney of the High Court of South Africa;
4. in the case of the Diploma in Tax Law, a person who has passed the final professional chartered accountancy examination of the Public Accountants and Auditors Board of South Africa, or an examination which, in the opinion of the Board and of Senate, is of equivalent standard, or a Bachelor of Commerce graduate of the University who has completed a course in taxation;
5. he or she holds any other academic or professional qualification which Senate has approved as a ground for admission to the Diploma; or

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6. a person who has satisfied Senate, by means of such test as may be prescribed, that his/her qualifications are equivalent to any one of those enumerated in FG3.1, 3.2, 3.3, 3.4 and 3.5 above;
7. in the case of an applicant with an undergraduate qualification from a foreign institution, he or she has submitted evidence of proficiency in English of a sufficiently high standard to undertake postgraduate studies in Law. Evidence of proficiency may include an applicant's English language results at school and university level, and/or an applicant's TOEFL test results. An applicant may be required to pass a law-specific English proficiency test before being permitted to register in the Faculty

NOTES:

1. *With regard to the Postgraduate Diploma in Law in Shipping Law, and with reference to Rule FG3 above,*
 - (a) *in principle, a Master's certificate, together with sufficient appropriate experience in the Shipping field, may serve as a ground for admission*
 - (b) *the essential requirement for admission in the absence of a degree is the possession of sufficient appropriate experience in the field in question, whether evidenced by possession of a Master's certificate or not.*
2. *The following general policy exists currently with regard to applicants: a good LLB (average mark in the 60% to 70% range) is the minimum qualification. Subsequent study and/or related work experience is a recommendation. For those with a BProc degree, an average mark greater than 70% is required, unless there is evidence of additional/subsequent work experience appropriate to the courses chosen.*

Obtaining the diploma:

FG4 A candidate must undertake advanced study in two approved courses (or the equivalent) and complete a research paper on an approved topic under the guidance of a supervisor appointed by Senate. A candidate must obtain at least 50% for each course and at least 50% for the research paper.

Examination:

FG5.1 A candidate may be required to submit prepared assignments, participate in debates or moots, and to undergo a written and/or oral examination in all or any of his/her approved courses and/or research paper.

FG5.2 The candidate must submit a research paper of not more than 12 500 words on a subject approved by Senate which must be of legal interest and related to one of the approved courses.

FG5.3 A candidate who has failed any approved course with 47% or more has the right to an oral examination in that course.

FG5.4 Any such oral examination shall be convened upon a minimum of three days notice given by the Faculty to the candidate, and shall be held at the Faculty in the presence of two examiners, one of whom shall be external to the course concerned, but who may be a member of the Faculty staff.

FG5.5 Supplementary examinations are not set for any of the approved courses.

Credit and exemption:

FG6.1 Senate may accept examinations in an appropriate course of equivalent weight passed at this or another university recognised for the purpose of exempting a candidate from one course of the work prescribed in Rule FG4; provided that Senate may, in advance, approve an individual course or courses offered by another university, as a course which, if completed, will allow credit for and exemption from a course prescribed for the Postgraduate Diploma in Law. Such approval will be valid for one year but may be renewed on the recommendation of the Faculty of Law.

- FG6.2 Notwithstanding Rule FG6.1, a candidate will not be admitted to the Diploma unless he or she has completed at least one course and the research paper at this University.

Date for submission of research paper:

- FG7.1 The proposal for the research paper must be submitted to the supervisor no later than the time at which half the coursework requirements of the degree have been fulfilled.
- FG7.2 The research paper must be submitted no later than the Friday before the first term of the year following the year of registration for the Postgraduate Diploma in Law for students who have completed their coursework in December and 15 September of the same year for students who have completed their coursework in June.

Exclusion from a course

Minimum requirements for readmission to the diploma:

- FG8.1 A candidate must pass one of the two courses in order to qualify for readmission.
- FG8.2 Should a candidate fail a course he or she may only continue by taking another course, unless Senate gives permission to repeat the course failed or study for a longer period.
- FG8.3 A candidate who fails the research paper may be permitted by Senate on one occasion only to submit another research paper, which must be on a different topic.

Exclusion from the diploma:

- FG9.1 A candidate who fails two courses or the same course twice will not be allowed to reregister for any other Diploma course, except with the permission of Senate. For the purpose of this Rule, a double course shall be regarded as one course.
- FG9.2 A candidate who fails the research paper twice or does not submit the research paper timeously, having been given an extension of time (see FG7) will not be allowed to re-register for either the Diploma nor any further postgraduate study, except with the permission of Senate.

Duration:

- FG10 Except with the permission of Senate:
The coursework component of Postgraduate Diploma in Law must be completed within one academic year and the research paper in accordance with Rule FG7.

Research paper:

- FG11 The research paper must be satisfactory in arrangement and expression and must be printed. A candidate must submit three copies (temporary bindings) and an electronic version directly to the Faculty Office.

The following statement must appear on the title page:

Research paper presented for the approval of Senate in fulfilment of part of the requirements for the (*qualification for which a student is registered*) in approved courses and a research paper. The other part of the requirement for this qualification was the completion of a programme of courses. I hereby declare that I have read and understood the regulations governing the submission of (*qualification for which student is registered*) research papers, including those relating to length and plagiarism, as contained in the rules of this University, and that this research paper conforms to those regulations.

Note: *One unbound copy is lodged with Special Collections, Chancellor Oppenheimer Library.*

The electronic version should be in Adobe (.pdf) or Word (.doc) format. Free software for the pdf format is on the Law fileserver and is also available from the School for Advanced Legal Studies.

Publication of research paper:

FG12 No publication may, without the prior permission of the University, contain a statement that the published material was or is to be submitted in part or in full for the Diploma.

Distinction:

FG13.1 The Diploma may be awarded with distinction.

FG13.2 For the Diploma to be awarded with distinction, a candidate must:

- (a) submit the research paper no later than the Friday before the first term of the year following the completion of the coursework for students who have completed their coursework in December and 15 September of the same year for students who have completed their coursework in June; and
- (b) obtain an average mark of at least 75%, the research paper counting for 50% of the examination.

Exemption from or modification of rules:

FG14 Any exemption from or modification of these rules must be approved specifically by Senate.

NOTE: Conversion to LLM degree

Candidates who have registered for the Postgraduate Diploma in Law may, subject to the requisite qualifications and acceptability, upgrade their registration to the LLM programme. Such candidates should apply in writing to change their registration by no later than 31 AUGUST. They will be informed whether their application has been accepted or not. Candidates who have had the Diploma conferred on them may NOT convert to registration for the LLM retrospectively (see Rule FMC6.3). Students are referred to the Notes which appear immediately below the LLM degree rules, which are applicable to the Diploma in equal measure.

Note: It is not possible to downgrade from the LLM to a Postgraduate Diploma.

POSTGRADUATE STUDY PROGRAMMES

Teaching contact periods vary from course to course: details must be obtained from the course convener in each instance. In principle, each double course carries the weight of 50 contact periods per semester, while each course carries the weight of 50 contact periods. Because of the wide range of courses on offer, a draft timetable is drawn up for each semester. This might mean that certain combinations of courses are not possible, although the School for Advanced Legal Studies (SALS) will try to accommodate as much freedom of choice as possible. Please consult the timetable when choosing courses.

Various groupings of subjects are set out below as ‘programmes’, as the issues which are dealt with form a coherent whole. If a student elects such a ‘programme’, he or she will be awarded with the degree/diploma in the specialist area concerned. Please refer to the Rules for LLM and MPhil Degrees and the Rules for Postgraduate Diplomas in Law for further information.

The following ‘programmes’ are described:

- Commercial Law
- Comparative Law in Africa
- Compliance Management (*Not on offer to new students in 2013*)
- Constitutional and Administrative Law
- Criminal Justice
- Dispute Resolution
- Environmental Law
- Human Rights Law
- Intellectual Property Law
- International Law
- International Trade Law
- Labour Law
- Marine and Environmental Law (*Not on offer to new students in 2013*)
- Public Law
- Shipping Law
- Social Justice (*Not on offer to new students in 2013*)
- Tax Law

This does not mean that the courses listed under specific ‘programme’ headings may not freely be chosen as part of a ‘general’ diploma/degree, or as components of a field of study (e.g. commercial law) which is wider than a ‘programme’ but narrower than ‘general’.

Commercial Law

Programme convener: Associate Professor G Bradfield

Master's degree (LLM/MPhil) specialising in Commercial Law [LM003CML01/ LM002CML01]

The curriculum comprises four elective courses from this section, or courses listed under the Labour Law or Shipping Law programmes, and a compulsory minor dissertation of not more than 25 000 words on a related topic approved by the programme convener. The curriculum consists of 240 credits.

100 POSTGRADUATE STUDY PROGRAMMES

Elective courses (to the value of 120 credits)		HEQF credits	HEQF level
Four of the following courses (30 credits each):			
CML5601F	Advanced Company Law	30	9
CML5640F	International Economic Law	30	9
CML5641S	Commercial Arbitration	30	9
CML5654S	Competition Law	30	9
CML5655S	Advanced Company Law: Corporate Governance	30	9
CML5658S	Electronic Transactions Law	30	9
CML5660F	Legal Compliance Management (<i>Not on offer in 2013</i>)	30	9
CML5664F	Law and Regional Integration in Africa: Comparative Perspective	30	9
CML5671F	Negotiation	30	9
CML5672S	Legal Aspects of Corporate Financing Structures	30	9
CML5673S	International Commercial Transactions Law	30	9
PBL5622S	Legal Writing (<i>Not on offer in 2013</i>)	30	9
Research component			
CML5606W	Minor Dissertation	120	9
		Total credits	240

Postgraduate Diploma in Law specialising in Commercial Law [LG002CML01]

The curriculum comprises two elective courses from this section, or courses listed under the Labour Law or Shipping Law programmes, and a compulsory research paper of not more than 12 500 words on a related topic approved by the programme convener. The curriculum consists of 120 credits.

Elective courses (to the value of 60 credits)		HEQF credits	HEQF level
Two of the following courses (30 credits each):			
CML5601F	Advanced Company Law	30	9
CML5640F	International Economic Law	30	9
CML5641S	Commercial Arbitration	30	9
CML5654S	Competition Law	30	9
CML5655S	Advanced Company Law: Corporate Governance	30	9
CML5658S	Electronic Transactions Law	30	9
CML5660F	Legal Compliance Management (<i>Not on offer in 2013</i>)	30	9
CML5664F	Law and Regional Integration in Africa: Comparative Perspective	30	9
CML5671F	Negotiation	30	9
CML5672S	Legal Aspects of Corporate Financing Structures	30	9
CML5673S	International Commercial Transactions Law	30	9
PBL5622S	Legal Writing (<i>Not on offer in 2013</i>)	30	9
Research component			
CML5620W	Research Paper	60	9
		Total credits	120

Comparative Law in Africa

Programme convener: Professor S Mancuso

Master's degree (LLM/MPhil) specialising in Comparative Law in Africa [LM003CML12/LM002CML12]

The curriculum comprises three compulsory courses, one elective course and a compulsory minor dissertation of not more than 25 000 words on a related topic approved by the programme convener. The curriculum consists of 240 credits.

	HEQF credits	HEQF level
Compulsory courses (to the value of 60 credits)		
CML5683F Comparative Legal Systems	30	9
CML5684F African Law	30	9
Compulsory course (to the value of 30 credits)		
One of the following courses:		
CML5685S Common Law	30	9
CML5686S Civil Law	30	9
Elective course (to the value of 30 credits)		
One of the following courses:		
CML5616F International and Comparative Labour Law (<i>Not on offer in 2013</i>)	30	9
CML5664F Law and Regional Integration in Africa: Comparative Perspective	30	9
CML5677F Islamic Law and Finance (<i>Not on offer in 2013</i>)	30	9
CML5687S Chinese Law and Investments in Africa	30	9
PBL5652S Muslim Personal Law and Human Rights (<i>Not on offer in 2013</i>)	30	9
RDL5616S Legal Pluralism	30	9
RDL5623F Human Rights and African Customary Law (<i>Not on offer in 2013</i>)	30	9
Research component		
CML5688W Minor Dissertation	120	9
Total credits	240	

Postgraduate Diploma in Law specialising in Comparative Law in Africa [LG002CML12]

The curriculum comprises two compulsory courses and a compulsory research paper of not more than 12 500 words on a related topic approved by the programme convener. The curriculum consists of 120 credits.

	HEQF credits	HEQF level
Compulsory courses (to the value of 60 credits)		
CML5683F Comparative Legal Systems	30	9
CML5684F African Law	30	9
Research component		
CML5689W Research Paper	60	9
Total credits	120	

Compliance Management *(Not on offer in 2013)*

Programme convener: Associate Professor G Bradfield

Postgraduate Diploma in Law specialising in Compliance Management [LG002CML08]

The curriculum comprises two compulsory courses and a compulsory research paper of not more than 12 500 words on a related topic approved by the programme convener. The curriculum consists of 120 credits.

Compulsory courses		HEQF credits	HEQF level
CML5655S	Advanced Company Law: Corporate Governance	30	9
CML5660F	Legal Compliance Management <i>(Not on offer in 2013)</i>	30	9
Research component			
PBL5620W	Research Paper	60	9
Total credits		120	

Constitutional and Administrative Law

Programme convener: Professor HM Corder

Master's degree (LLM/MPhil) specialising in Constitutional and Administrative Law [LM003PBL01/LM002PBL01]

The curriculum comprises two compulsory courses, two elective courses and a compulsory minor dissertation of not more than 25 000 words on a related topic approved by the programme convener. The curriculum consists of 240 credits.

Compulsory courses		HEQF credits	HEQF level
PBL5623F	Governing Under the Constitution: Law and Practice	30	9
PBL5635S	Administrative Justice	30	9
Elective courses (to the value of 60 credits)			
Two courses, including at least one of the following courses (30 credits each):			
PBL5619F	International Environmental Law	30	9
PBL5622S	Legal Writing <i>(Not on offer in 2013)</i>	30	9
PBL5633S	Litigating the Bill of Rights	30	9
PBL5634F	Human Rights Law	30	9
PBL5640F	Principles of Environmental Law	30	9
PBL5647F	Social Justice, Law and Poverty	30	9
PBL5653F	Refugee Law and Human Rights	30	9
Research component			
PBL5602W	Minor Dissertation	120	9
Total credits		240	

Postgraduate Diploma in Law specialising in Constitutional and Administrative Law [LG002PBL01]

The curriculum comprises two compulsory courses and a compulsory research paper of not more than 12 500 words on a related topic approved by the programme convener. The curriculum consists of 120 credits.

Compulsory courses		HEQF credits	HEQF level
PBL5623F	Governing Under the Constitution: Law and Practice	30	9

PBL5635S	Administrative Justice	30	9
Research component			
PBL5655W	Research Paper	60	9
Total credits		120	

Criminal Justice

Programme convener: Associate Professor D Smythe

Master's degree (LLM) specialising in Criminal Justice [LM003PBL02]

The curriculum comprises four elective courses and a compulsory minor dissertation of not more than 25 000 words on a related topic approved by the programme convener. The curriculum consists of 240 credits.

Elective courses (to the value of 120 credits)		HEQF credits	HEQF level
Four of the following courses (30 credits each):			
PBL5644F	Sexual Offences and the Law	30	9
PBL5647F	Social Justice, Law and Poverty	30	9
PBL5807S	International Criminal Law	30	9
PBL5815F	Punishment and Human Rights	30	9
PBL5820F	Theories of Crime and Social Order	30	9
PBL5822S	Victims and Victimology: Theory, Policy and Practice (<i>Not on offer in 2013</i>)	30	9
PBL5844S	Police and Policing: Explorations in Security Governance	30	9
Research component			
PBL5802W	Minor Dissertation	120	9
Total credits		240	

Master's degree (MPhil) specialising in Criminal Justice [LM002PBL02]

Unless otherwise specified, a candidate for the MPhil programme must achieve an average of not less than 60% in an Honours degree to be accepted into the MPhil in Criminal Justice.

The curriculum comprises one compulsory course, three elective courses and a compulsory minor dissertation of not more than 25 000 words on a related topic approved by the programme convener. The curriculum consists of 240 credits.

Compulsory course		HEQF credits	HEQF level
PBL5820F	Theories of Crime and Social Law	30	9
Elective courses (to the value of 90 credits)			
Three of the following courses (30 credits each):			
PBL5644F	Sexual Offences and the Law	30	9
PBL5647F	Social Justice, Law and Poverty (<i>Not on offer in 2013</i>)	30	9
PBL5815F	Punishment and Human Rights	30	9
PBL5822S	Victims and Victimology: Theory, Policy, and Practice (<i>Not on offer in 2013</i>)	30	9
PBL5844S	Police and Policing: Explorations in Security Governance	30	9
POL4032F	Comparative Transitional Justice *	30	9
Research component			
PBL5802W	Minor Dissertation	120	9
Total credits		240	

* This course, offered by the Humanities Faculty, is available as an option to students participating in the MPhil in Criminal Justice programme only.

Postgraduate Diploma in Law specialising in Criminal Justice [LG002PBL02]

The curriculum comprises two elective courses and a compulsory research paper of not more than 12 500 words on a related topic approved by the programme convenor. The curriculum consists of 120 credits.

	HEQF credits	HEQF level
Elective courses (to the value of 60 credits)		
Two of the following courses (30 credits each):		
PBL5644F Sexual Offences and the Law	30	9
PBL5647F Social Justice, Law and Poverty	30	9
PBL5807S International Criminal Law	30	9
PBL5815F Punishment and Human Rights	30	9
PBL5820F Theories of Crime and Social Order	30	9
PBL5822S Victims and Victimology: Theory, Policy, and Practice (<i>Not on offer in 2013</i>)	30	9
PBL5844S Police and Policing: Explorations in Security Governance	30	9
Research component		
PBL5804W Research Paper	60	9
Total credits	120	

Dispute Resolution

Programme convenor: Professor A Rycroft

Master's degree (LLM/MPhil) specialising in Dispute Resolution [LM003CML11/LM002CML11]

The curriculum comprises three compulsory courses, one elective course and a compulsory minor dissertation of not more than 25 000 words on a related topic approved by the programme convenor. The curriculum consists of 240 credits.

	HEQF credits	HEQF level
Compulsory courses		
CML5631S Mediation	30	9
CML5641S Commercial Arbitration	30	9
CML5671F Negotiation	30	9
Elective course (to the value of 30 credits)		
One Master's course (recommended course - PBL5618S International Law on Disputes and Use of Force)	30	9
Research component		
CML5614W Minor Dissertation	120	9
Total credits	240	

Postgraduate Diploma in Law specialising in Dispute Resolution [LG002CML11]

The curriculum comprises two compulsory courses and a compulsory research paper of not more than 12 500 words on a related topic approved by the programme convenor. The curriculum consists of 120 credits.

	HEQF credits	HEQF level
Compulsory courses		
CML5631S Mediation	30	9
CML5671F Negotiation	30	9
Research component		
CML5607W Research Paper	60	9
Total credits	120	

Environmental Law

Programme convener: Professor A Paterson

Master's degree (LLM/MPhil) specialising in Environmental Law [LM003PBL04/LM002PBL04]

The curriculum comprises one compulsory course, three elective courses and a compulsory minor dissertation of not more than 25 000 words on a related topic approved by the programme convener. The curriculum consists of 240 credits.

	HEQF credits	HEQF level
Compulsory course		
PBL5640F Principles of Environmental Law	30	9
Elective courses (to the value of 90 credits)		
Three courses, including at least two of the following courses:		
PBL5619F International Environmental Law	30	9
PBL5641F Land Use Planning Law	30	9
PBL5642S Natural Resources Law	30	9
PBL5643S Pollution Law	30	9
Research component		
PBL5654W Minor Dissertation	120	9
Total credits	240	

Postgraduate Diploma in Law specialising in Environmental Law [LG002PBL04]

A candidate may be required to complete an introductory course to law in general and/or public international law if he/she has not previously completed courses in these disciplines.

The curriculum comprises one compulsory course, one elective course and a compulsory research paper of not more than 12 500 words on a related topic approved by the programme convener. The curriculum consists of 120 credits.

	HEQF credits	HEQF level
Compulsory course		
PBL5640F Principles of Environmental Law	30	9
Elective course		
One of the following courses:		
PBL5619F International Environmental Law	30	9
PBL5641F Land Use Planning Law	30	9
PBL5630S Marine Pollution Law (<i>Not on offer in 2013</i>)	30	9
PBL5642S Natural Resources Law	30	9
PBL5643S Pollution Law	30	9
Research component		
PBL5632W Research Paper	60	9
Total credits	120	

Human Rights Law

Programme convener: Professor DM Chirwa

Master's degree (LLM/MPhil) specialising in Human Rights Law [LM003PBL05/LM002PBL05]

The curriculum comprises four elective courses and a compulsory minor dissertation of not more than 25 000 words on a related topic approved by the programme convener. The curriculum consists of 240 credits.

106 POSTGRADUATE STUDY PROGRAMMES

Elective courses (to the value of 120 credits)		HEQF credits	HEQF level
Four of the following courses (30 credits each):			
PBL5619F	International Environmental Law	30	9
PBL5628F	International Rights of the Child	30	9
PBL5631S	International Protection of Human Rights	30	9
PBL5633S	Litigating the Bill of Rights	30	9
PBL5634F	Human Rights Law	30	9
PBL5635S	Administrative Justice	30	9
PBL5640F	Principles of Environmental Law	30	9
PBL5647F	Social Justice, Law and Poverty	30	9
PBL5651S	International Protection of Women's Human Rights	30	9
PBL5652S	Muslim Personal Law and Human Rights (<i>Not on offer in 2013</i>)	30	9
PBL5653F	Refugee Law and Human Rights	30	9
PBL5807S	International Criminal Law	30	9
PBL5815F	Punishment and Human Rights	30	9
PBL5822S	Victims and Victimology: Theory, Policy and Practice (<i>Not on offer in 2013</i>)	30	9
PBL5844S	Police and Policing: Explorations in Security Governance	30	9
Research component			
PBL5626W	Minor Dissertation	120	9
		Total credits	240

Postgraduate Diploma in Law specialising in Human Rights Law [LG002PBL05]

The curriculum comprises two elective courses and a compulsory research paper of not more than 12 500 words on a related topic approved by the programme convener. The curriculum consists of 120 credits.

Elective courses (to the value of 60 credits)		HEQF credits	HEQF level
Two of the following courses (30 credits each):			
PBL5619F	International Environmental Law	30	9
PBL5628F	International Rights of the Child	30	9
PBL5631S	International Protection of Human Rights	30	9
PBL5633S	Litigating the Bill of Rights	30	9
PBL5634F	Human Rights Law	30	9
PBL5635S	Administrative Justice	30	9
PBL5640F	Principles of Environmental Law	30	9
PBL5647F	Social Justice, Law and Poverty	30	9
PBL5651S	International Protection of Women's Human Rights	30	9
PBL5652S	Muslim Personal Law and Human Rights (<i>Not on offer in 2013</i>)	30	9
PBL5653F	Refugee Law and Human Rights	30	9
PBL5807S	International Criminal Law	30	9
PBL5815F	Punishment and Human Rights	30	9
PBL5822S	Victims and Victimology: Theory, Policy and Practice (<i>Not on offer in 2013</i>)	30	9
PBL5844S	Police and Policing: Explorations in Security Governance	30	9
Research component			
PBL5605W	Research Paper	60	9
		Total credits	120

Intellectual Property Law

Programme convener: Ms L-A Tong

Master's degree (LLM/MPhil) specialising in Intellectual Property Law [LM003RDL04/LM002RDL04]

The curriculum comprises four elective courses and a compulsory minor dissertation of not more than 25 000 words on a related topic approved by the programme convener. The curriculum consists of 240 credits.

	HEQF credits	HEQF level
Elective courses (to the value of 120 credits)		
Four courses, including at least three of the following courses (30 credits each):		
CML5657S	Electronic Intellectual Property Law	30
CML5678F	Principles of Intellectual Property Law	30
CML5680F	Advanced Intellectual Property Law (<i>Not on offer in 2013</i>)	30
CML5691S	Intellectual Property Law, Development and Innovation	30
Research component		
CML5681W	Minor Dissertation	120
Total credits		240

Postgraduate Diploma in Law specialising in Intellectual Property Law [LG002RDL04]

The curriculum comprises two elective courses and a compulsory research paper of not more than 12 500 words on a related topic approved by the programme convener. The curriculum consists of 120 credits.

	HEQF credits	HEQF level
Elective courses (to the value of 60 credits)		
Two of the following courses (30 credits each):		
CML5657S	Electronic Intellectual Property Law	30
CML5678F	Principles of Intellectual Property Law	30
CML5680S	Advanced Intellectual Property Law (<i>Not on offer in 2013</i>)	30
CML5691S	Intellectual Property Law, Development and Innovation	30
Research component		
CML5682W	Research Paper	60
Total credits		120

NOTE: Postgraduate Diploma students may not take two courses in the same semester, except with the permission of Senate

International Law

Programme convener: Ms C Powell

Master's degree (LLM/MPhil) specialising in International Law [LM003PBL06/ LM002PBL06]

The curriculum comprises four elective courses and a compulsory minor dissertation of not more than 25 000 words on a related topic approved by the programme convener. The curriculum consists of 240 credits.

108 POSTGRADUATE STUDY PROGRAMMES

Elective courses (to the value of 120 credits)		HEQF credits	HEQF level
Four of the following courses (30 credits each):			
CML5673S	International Commercial Transactions Law	30	9
PBL5807S	International Criminal Law	30	9
CML5640F	International Economic Law	30	9
PBL5619F	International Environmental Law	30	9
PBL5602F	International Law of the Sea (<i>Not on offer in 2013</i>)	30	9
PBL5618S	International Law on Disputes and the Use of Force	30	9
PBL5631S	International Protection of Human Rights	30	9
PBL5628F	International Rights of the Child	30	9
PBL5630S	Marine Pollution Law (<i>Not on offer in 2013</i>)	30	9
PBL5608S	Marine Resources Law (<i>Not on offer in 2013</i>)	30	9
PBL5615F	Principles of Public International Law	30	9
Research component			
PBL5627W	Minor Dissertation	120	9
		Total credits	240

Postgraduate Diploma in Law specialising in International Law [LG002PBL06]

The curriculum comprises two elective courses and a compulsory research paper of not more than 12 500 words on a related topic approved by the programme convener. The curriculum consists of 120 credits.

Elective courses (to the value of 60 credits)		HEQF credits	HEQF level
Two of the following courses (30 credits each):			
CML5673S	International Commercial Transactions Law	30	9
PBL5807S	International Criminal Law	30	9
CML5640F	International Economic Law	30	9
PBL5619F	International Environmental Law	30	9
PBL5602F	International Law of the Sea (<i>Not on offer in 2013</i>)	30	9
PBL5628F	International Rights of the Child	30	9
PBL5630S	Marine Pollution Law (<i>Not on offer in 2013</i>)	30	9
PBL5608S	Marine Resources Law (<i>Not on offer in 2013</i>)	30	9
PBL5615F	Principles of Public International Law	30	9
PBL5623F	Governing Under the Constitution: Law and Practice	30	9
PBL5635S	Administrative Justice	30	9
Research component			
PBL5656W	Research Paper	60	9
		Total credits	120

International Trade Law

Programme convener: Associate Professor G Bradfield

Master's degree (LLM) specialising in International Trade Law [LM003CML06]

The curriculum comprises two compulsory courses, two elective courses and a compulsory minor dissertation of not more than 25 000 words on a related topic approved by the programme convener. The curriculum consists of 240 credits.

Compulsory courses		HEQF credits	HEQF level
CML5640F	International Economic Law	30	9
CML5673S	International Commercial Transactions Law	30	9

Elective courses (to the value of 60 credits)

Two of the following courses:

CML5626S	Carriage of Goods by Sea	30	9
CML5641S	Commercial Arbitration	30	9
CML5654S	Competition Law	30	9
CML5664F	Law and Regional Integration in Africa: Comparative Perspective	30	9
CML5687S	Chinese Law and Investments in Africa	30	9
PBL5615F	Principles of Public International Law	30	9
PBL5619F	International Environmental Law	30	9
Research component			
CML5674W	Minor Dissertation	120	9
		Total credits	240

Labour Law

Programme convener: Ms S Singlee

The Universities of Cape Town, Stellenbosch and the Western Cape offer a co-ordinated postgraduate programme in labour law. The joint-university postgraduate labour law programme consists of the following courses, six of which are offered by the University of Cape Town and the rest by the Universities of Stellenbosch and the Western Cape.

A candidate will only be allowed to register for the following courses if he or she has, in the opinion of Senate, attained a sufficient level of competence in the field of labour law.

Master's degree (LLM/MPhil) specialising in Labour Law [LM003CML07/LM002CML07]

The curriculum comprises four elective courses and a compulsory minor dissertation of not more than 25 000 words on a related topic approved by the programme convener. The curriculum consists of 240 credits.

Elective courses (to the value of 120 credits)		HEQF credits	HEQF level
Four of the following courses (30 credits each):			
University of Cape Town courses:			
CML5613S	Collective Labour Law	30	9
CML5616F	International and Comparative Labour Law (<i>Not on offer in 2013</i>)	30	9
CML5622S	Pensions and Social Security Law (<i>Not on offer in 2013</i>)	30	9
CML5651S	Individual Employment Law	30	9
CML5671S	Negotiation	30	9
CML5676S	Workplace Discrimination and Equality Law	30	9
University of Stellenbosch courses:			
	Equality in the Workplace	30	9
	Labour Law under the Constitution	30	9
University of the Western Cape courses:			
	Labour Law in the New Global Market	30	9
	Unfair Dismissal Law	30	9
Research component			
CML5614W	Minor Dissertation	120	9
		Total credits	240

Postgraduate Diploma in Law specialising in Labour Law [LG002CML07]

The curriculum comprises two elective courses and a compulsory research paper of not more than 12 500 words on a related topic approved by the programme convener. The curriculum consists of 240 credits.

	HEQF credits	HEQF level
Elective courses (to the value of 60 credits)		
Two of the following courses (30 credits each):		
University of Cape Town courses:		
CML5613S Collective Labour Law	30	9
CML5616F International and Comparative Labour Law (<i>Not on offer in 2013</i>)	30	9
CML5622S Pensions and Social Security Law (<i>Not on offer in 2013</i>)	30	9
CML5651S Individual Employment Law	30	9
CML5671S Negotiation	30	9
University of Stellenbosch courses:		
Equality in the Workplace	30	9
Labour Law under the Constitution	30	9
University of the Western Cape courses:		
Labour Law in the New Global Market	30	9
Unfair Dismissal Law	30	9
Research component		
CML5607W Research Paper	60	9
Total credits	120	

The University of Stellenbosch and the University of the Western Cape courses are recognised by UCT as approved courses for the purposes of LLM Rule FMC6.1, 6.2 and 6.3 and Postgraduate Diploma in Law Rule FG6.1 and 6.2. Students registering at Stellenbosch or UWC will be required to pay the standard fee for the courses offered there. *The onus is on the students to register with the other university and supply the University with their results from Stellenbosch/Western Cape if they wish to be granted credit for and exemption from courses prescribed for the degree or diploma.*

Marine and Environmental Law (*Not on offer in 2013*)

Programme convener: Professor A Paterson

Courses in both the private and public law aspects of Marine and Maritime Law are offered jointly by the Departments of Commercial Law (Shipping Law Unit) and Public Law (Institute of Marine and Environmental Law). (Refer to the Rules for LLM and MPhil Degrees, and Postgraduate Diplomas in Law.)

The degree may be conferred with specialisation in either Marine and Environmental Law or Environmental Law, if there is compliance with the following requirements.

Master's degree (LLM/MPhil) specialising in Marine and Environmental Law [LM003PBL07/LM002PBL07]

The curriculum comprises four elective courses and a compulsory minor dissertation of not more than 25 000 words on a related topic approved by the programme convener. The curriculum consists of 240 credits.

	HEQF credits	HEQF level
Elective courses (to the value of 120 credits)		
Four courses, including two of the following courses:		
PBL5619F International Environmental Law	30	9
PBL5640F Principles of Environmental Law	30	9

PBL5641F	Land Use Planning Law	30	9
PBL5642S	Natural Resources Law	30	9
PBL5643S	Pollution Law	30	9
And			
Two of the following courses:			
PBL5602F	International Law of the Sea (<i>Not on offer in 2013</i>)	30	9
PBL5608S	Marine Resources Law (<i>Not on offer in 2013</i>)	30	9
PBL5630S	Marine Pollution Law (<i>Not on offer in 2013</i>)	30	9
Research component			
PBL5624W	Minor Dissertation (<i>Not on offer in 2013</i>)	120	9
		Total credits	240

Postgraduate Diploma in Law specialising in Marine and Environmental Law [LG002PBL07]

A candidate may be required to complete an introductory course to law in general and/or public international law if he/she has not previously completed courses in these disciplines.

The curriculum comprises two elective courses and a compulsory research paper of not more than 12 500 words on a related topic approved by the programme convener. The curriculum consists of 120 credits.

Elective courses (to the value of 60 credits)		HEQF credits	HEQF level
One of the following courses:			
PBL5619F	International Environmental Law	30	9
PBL5640F	Principles of Environmental Law	30	9
PBL5641F	Land Use Planning	30	9
PBL5642S	Natural Resources Law	30	9
PBL5643S	Pollution Law	30	9
And			
One of the following courses:			
PBL5602F	International Law of the Sea (<i>Not on offer in 2013</i>)	30	9
PBL5608S	Marine Resources Law (<i>Not on offer in 2013</i>)	30	9
PBL5630S	Marine Pollution Law (<i>Not on offer in 2013</i>)	30	9
Research component			
PBL5657W	Research Paper (<i>Not on offer in 2013</i>)	60	9
		Total credits	120

Public Law

Programme convener: Professor DM Chirwa

A student may obtain a Master's degree in Public Law, or a Postgraduate Diploma in Public Law, by taking the required number of courses from the following programmes and a minor dissertation/research paper in the same area, or a combination of some of these courses together with other courses offered by the Institute of Marine and Environmental Law:

- Constitutional and Administrative Law
- Criminal Justice
- Human Rights Law
- International Law
- Social Justice

Master's degree (LLM/MPhil) specialising in Public Law [LM003PBL09/ LM002PBL09]

The curriculum comprises four elective courses and a compulsory minor dissertation of not more than 25 000 words on a related topic approved by the programme convener. The curriculum consists of 240 credits.

	HEQF credits	HEQF level
Elective courses (to the value of 120 credits)		
Four courses from the following programmes or courses offered by the Institute of Marine and Environmental Law:	120	9
Constitutional and Administrative Law		
Criminal Justice		
Human Rights Law		
International Law		
Social Justice		
Research component		
PBL5601W Minor Dissertation	120	9
Total credits	240	

Postgraduate Diploma in Law specialising in Public Law [LG002PBL09]

The curriculum comprises two elective courses and a compulsory research paper of not more than 12 500 words on a related topic approved by the programme convener. The curriculum consists of 120 credits.

	HEQF credits	HEQF level
Elective courses (to the value of 60 credits)		
Two courses from the following programmes or courses offered by the Institute of Marine and Environmental Law:	60	9
Constitutional and Administrative Law		
Criminal Justice		
Human Rights Law		
International Law		
Social Justice		
Research component		
PBL5611W Research Paper	60	9
Total credits	120	

Shipping Law

Programme convener: Associate Professor G Bradfield

Courses in both the private and public law aspects of Marine and Maritime Law are offered jointly by the Departments of Commercial Law (Shipping Law Unit) and Public Law (Institute of Marine and Environmental Law). (Refer to the Rules for LLM and MPhil Degrees, and Postgraduate Diplomas in Law.)

Master's degree (LLM/MPhil) specialising in Shipping Law [LM003CML09/ LM002CML09]

The curriculum comprises two compulsory courses, two elective courses and a compulsory minor dissertation of not more than 25 000 words on a related topic approved by the programme convener. The curriculum consists of 240 credits.

	HEQF credits	HEQF level
Compulsory courses (to the value of 60 credits)		
CML5626S Carriage of Goods by Sea	30	9
CML5690F Maritime Law and Marine Insurance	30	9
Elective courses (to the value of 60 credits)		
CML5624F Admiralty Jurisdiction and Practice	30	9
CML5641S Commercial Arbitration	30	9
CML5670F Advanced Insurance Law (<i>Not on offer in 2013</i>)	30	9
CML5673S International Commercial Transactions Law	30	9
PBL5602F International Law of the Sea (<i>Not on offer in 2013</i>)	30	9
PBL5630S Marine Pollution Law (<i>Not on offer in 2013</i>)	30	9
Research component		
CML5616W Minor Dissertation	120	9
Total credits	240	

Postgraduate Diploma in Law specialising in Shipping Law [LG002CML09]

The curriculum comprises two compulsory courses and a compulsory research paper of not more than 12 500 words on a related topic approved by the programme convener. The curriculum consists of 120 credits.

	HEQF credits	HEQF level
Compulsory courses		
CML5626S Carriage of Goods by Sea	30	9
CML5690F Maritime Law and Marine Insurance	30	9
Research component		
CML5617W Research Paper	60	9
Total credits	120	

Social Justice (*Not on offer in 2013*)

Programme convener: Ms M von Broembsen

The convener of the programme may, at his/her discretion, limit the size of the programme intake to 15 students. Registration for the compulsory courses in this programme, Social Justice, Law and Poverty (PBL5647F) and Social Justice in Practice (PBL5648S) may therefore also be limited to 15 students.

Master's degree (LLM/MPhil) specialising in Social Justice [LM003PBL10/ LM002PBL10]

The curriculum comprises two compulsory courses, two elective courses and a compulsory minor dissertation of not more than 25 000 words on a related topic approved by the programme convener. The curriculum consists of 240 credits.

	HEQF credits	HEQF level
Compulsory courses		
PBL5647F Social Justice, Law and Poverty	30	9
PBL5648S Social Justice in Practice (<i>Not on offer in 2013</i>)	30	9
Elective courses (to the value of 60 credits)		
Two of the following courses (30 credits each):		
CML5622S Pensions and Social Security (<i>Not on offer in 2013</i>)	30	9
PBL5619F International Environmental Law	30	9
PBL5623F Governing under the Constitution: Law and Practice	30	9
PBL5628F International Rights of the Child	30	9
PBL5631S International Protection of Human Rights	30	9
PBL5633S Litigating the Bill of Rights	30	9

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PBL5634F	Human Rights Law	30	9
PBL5635S	Administrative Justice (only candidates who have completed an LLB may take this course)	30	9
PBL5640F	Principles of Environmental Law	30	9
PBL5653F	Refugee Law and Human Rights	30	9
PBL5815F	Punishment and Human Rights	30	9
PBL5820F	Theories of Crime and Social Order	30	9
PBL5822S	Victims and Victimology: Theory, Policy and Practice (<i>Not on offer in 2013</i>)	30	9
PBL5844S	Police and Policing: Exploration in Governance of Security	30	9
Any equivalent course from another Faculty (subject to SALS approval)			
Research component			
PBL5649W	Minor Dissertation (<i>Not on offer in 2013</i>)	120	9
		Total credits	240

Postgraduate Diploma in Law specialising in Social Justice [LG002PBL10]

The curriculum comprises two compulsory courses and a compulsory research paper of not more than 12 500 words on a related topic approved by the programme convener. The curriculum consists of 120 credits.

		HEQF credits	HEQF level
Compulsory courses			
PBL5647F	Social Justice, Law and Poverty	30	9
PBL5648S	Social Justice in Practice (<i>Not on offer in 2013</i>)	30	9
Research component			
PBL5650W	Research Paper	60	9
		Total credits	120

Tax Law

Programme convener: Ms TL Gutuza

Master's degree (LLM/MPhil) specialising in Tax Law [LM003CML10/LM002CML10]

This is a two-year programme.

The curriculum comprises two compulsory courses and a compulsory minor dissertation of not more than 25 000 words on a related topic approved by the programme convener. The curriculum consists of 240 credits.

		HEQF credits	HEQF level
Compulsory courses			
CML5661W	Tax Law	60	9
CML5663W	Advanced Tax Law	60	9
Research component			
CML5611W	Minor Dissertation	120	9
		Total credits	240

Postgraduate Diploma in Law specialising in Tax Law [LG005CML10]

This is a one-year programme.

The curriculum comprises one compulsory course and a compulsory research paper of not more than 12 500 words on a related topic approved by the programme convener. The curriculum consists of 120 credits.

		HEQF credits	HEQF level
Compulsory course			
CML5661W	Tax Law	60	9

Research component

CML5615W	Research Paper	60	9
Total credits		120	

Postgraduate Diploma students who are eligible may, within the constraints of the rules, elect to upgrade their registration to an MPhil or LLM degree in Commercial Law or Tax Law should they decide to continue their studies. However, students may not use CML5661W toward an MPhil or LLM degree after having had a Postgraduate Diploma conferred on them. Tax Law (CML5661W) or Advanced Tax Law (CML5663W) may also be taken as a double-course, in combination with other courses, toward an MPhil or LLM degree. The required dissertation of not more than 25 000 words may be in either field of study.

COURSE OUTLINES (POSTGRADUATE)

Note: The course titles are listed in alphabetical sequence according to the title of the course.

PBL5635S	Administrative Justice (was PBL6035F)
CML5624F	Admiralty Jurisdiction and Practice (was CML6024S)
CML5655S	Advanced Company Law: Corporate Governance (was CML6055S)
CML5601F	Advanced Company Law: Securities (was CML6001F)
RDL5620S	Advanced Contract Law (was RDL6020S)
CML5670F	Advanced Insurance Law (was CML6070F) <i>(Not on offer in 2013)</i>
CML5680S	Advanced Intellectual Property Law (was RDL5614F) <i>(Not on offer in 2013)</i>
CML5663W	Advanced Tax Law (was CML6063W)
CML5684F	African Law
RDL5615F	Biotechnology and Intellectual Property Law (was RDL6015F) <i>(Not on offer in 2013)</i>
CML5626S	Carriage of Goods by Sea (was CML6026S)
CML5687S	Chinese Law and Investments in Africa
CML5686S	Civil Law
CML5613S	Collective Labour Law (was CML6013S)
CML5641S	Commercial Arbitration (was CML6041S)
CML5685S	Common Law
CML5683F	Comparative Legal Systems
CML5654S	Competition Law (was CML6054S)
CML5679F	Developmental Issues in Intellectual Property Law (was RDL5613S) <i>(Not on offer in 2013)</i>
CML5657S	Electronic Intellectual Property Law (was CML6057S)
CML5658S	Electronic Transactions Law (was CML6058S)
PBL5623F	Governing under the Constitution: Law and Practice (was PBL6023S)
RDL5623F	Human Rights and African Customary Law (was RDL6023F) <i>(Not on offer in 2013)</i>
RDL5624F	Human Rights and Private Law
PBL5634F	Human Rights Law (was PBL6034F)
CML5651F	Individual Employment Law (was CML6051F)
CML5691S	Intellectual Property Law, Development and Innovation
CML5616F	International and Comparative Labour Law (was CML6016F) <i>(Not on offer in 2013)</i>
CML5673S	International Commercial Transactions Law (was CML6073S)
PBL5807S	International Criminal Law (was PBL6807S)
CML5640F	International Economic Law (was CML6040F)
PBL5619F	International Environmental Law (was PBL6019F)
PBL5602F	International Law of the Sea (was PBL6002F) <i>(Not on offer in 2013)</i>
PBL5618S	International Law on Disputes and the Use of Force (was PBL6018S)
PBL5631S	International Protection of Human Rights (was PBL6031S)
PBL5651S	International Protection of Women's Human Rights (was PBL6051S)
PBL5628F	International Rights of the Child (was PBL6028F)
CML5677F	Islamic Law and Finance <i>(Not on offer in 2013)</i>
PBL5641F	Land Use Planning Law (was PBL6041F)
CML5664F	Law and Regional Integration in Africa: Comparative Perspective (was CML6064F)
PBL5638S	Law, Science and Ethics (was PBL6038S) <i>(Not on offer in 2013)</i>
CML5660F	Legal Compliance Management (was CML6060F) <i>(Not on offer in 2013)</i>
RDL5616F	Legal Pluralism: with Special Reference to Africa (was RDL6016S)

DOL5600F/S/Z	Legal Practice (was DOL6000F/S/Z)
PBL5622S	Legal Writing (was PBL6022S) (<i>Not on offer in 2013</i>)
PBL5633S	Litigating the Bill of Rights (was PBL6033S)
PBL5630S	Marine Pollution Law (was PBL6030S) (<i>Not on offer in 2013</i>)
PBL5608S	Marine Resources Law (was PBL6008S) (<i>Not on offer in 2013</i>)
CML5690F	Maritime Law and Marine Insurance (was CML5625F and CML5670F)
CML5606W	Masters in Commercial Law Dissertation Part (was CML6006W)
CML5688W	Masters in Comparative Law in Africa Dissertation Part
PBL5602W	Masters in Constitutional and Administrative Law Dissertation Part (was PBL6002W)
PBL5625W	Masters in Constitutional Law Dissertation Part (was PBL6025W)
PBL5802W	Masters in Criminal Justice Dissertation Part (was PBL6802W)
PBL5654W	Masters in Environmental Law Dissertation Part (was PBL6054W)
PBL5626W	Masters in Human Rights Law Dissertation Part (was PBL6026W)
CML5681W	Masters in Intellectual Property Law Dissertation Part (was RDL5622W)
PBL5817W	Masters in International Criminal Justice Dissertation Part (was PBL6817W)
PBL5627W	Masters in International Public Law Dissertation Part (was PBL6027W)
CML5674W	Masters in International Trade Law Dissertation Part (was CML6074W)
CML5614W	Masters in Labour Law Dissertation Part (was CML6014W)
PBL5624W	Masters in Marine and Environmental Law Dissertation Part (was PBL6024W) (<i>Not on offer in 2013</i>)
PBL5601W	Masters in Public Law Dissertation Part (was PBL6001W)
CML5616W	Masters in Shipping Law Dissertation Part (was CML6016W)
PBL5649W	Masters in Social Justice Dissertation Part (was PBL6049W) (<i>Not on offer in 2013</i>)
CML5611W	Masters in Tax Law Dissertation Part (was CML6011W)
CML5631S	Mediation
PBL5652S	Muslim Personal Law and Human Rights (was PBL6052S) (<i>Not on offer in 2013</i>)
PBL5642S	Natural Resources Law (was PBL6042S)
CML5671F	Negotiation (was CML6071F)
CML5622S	Pensions and Social Security Law (was CML6022S) (<i>Not on offer in 2013</i>)
PBL5844S	Police and Policing: Explorations in Security Governance (was PBL6844F)
PBL5643S	Pollution Law (was PBL6043S)
CML5620W	Postgraduate Diploma in Law (Commercial Law) Research Paper (was CML6020W)
CML5689W	Postgraduate Diploma in Law (Comparative Law in Africa) Research Paper
PBL5655W	Postgraduate Diploma in Law (Constitutional and Administrative Law) Research Paper (was PBL6055W)
PBL5804W	Postgraduate Diploma in Law (Criminal Justice) Research Paper (was PBL6804W)
PBL5632W	Postgraduate Diploma in Law (Environmental Law) Research Paper (was PBL6032W)
PBL5605W	Postgraduate Diploma in Law (Human Rights Law) Research Paper (was PBL6005W)
CML5682W	Postgraduate Diploma in Law (Intellectual Property Law) Research Paper (was RDL5621W)
PBL5656W	Postgraduate Diploma in Law (International Law) Research Paper (was PBL6056W)
CML5607W	Postgraduate Diploma in Law (Labour Law) Research Paper (was CML6007W)
PBL5657W	Postgraduate Diploma in Law (Marine and Environmental Law) Research Paper (was PBL6057W) (<i>Not on offer in 2013</i>)
PBL5611W	Postgraduate Diploma in Law (Public Law) Research Paper (was PBL6011W)
CML5617W	Postgraduate Diploma in Law (Shipping Law) Research Paper (was CML6017W)

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PBL5650W	Postgraduate Diploma in Law (Social Justice) Research Paper (was PBL6050W) (<i>Not on offer in 2013</i>)
CML5615W	Postgraduate Diploma in Law (Tax Law) Research Paper (was CML6015W)
PBL5640F	Principles of Environmental Law (was PBL6040F)
CML5678F	Principles of Intellectual Property Law (was RDL5614F)
PBL5615F	Principles of Public International Law (was PBL6015F)
PBL5815F	Punishment and Human Rights (was PBL6815S)
PBL5653F	Refugee Law and Human Rights (was PBL6053F)
PBL5644F	Sexual Offences and the Law (was PBL6044S)
PBL5648S	Social Justice in Practice (was PBL6048S) (<i>Not on offer in 2013</i>)
PBL5647F	Social Justice, Law and Poverty (was PBL6047F)
CML5661W	Tax Law (was CML6061W)
CML5672S	The Legal Aspects of Corporate Financing Structures (was CML6072S)
PBL5820F	Theories of Crime and Social Order (was PBL6820F)
PBL5822S	Victims and Victimology: Theory, Policy and Practice (was PBL6822S) (<i>Not on offer in 2013</i>)
CML5676S	Workplace Discrimination and Equality Law

Note: The course descriptions below are arranged in alphabetical and numerical sequence according to the course code.

CML5601F ADVANCED COMPANY LAW: SECURITIES (was CML6001F)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester.

Course co-ordinator(s): Ms J Yeats.

Prerequisites: Competent academic and/or practical knowledge of the general principles of South African company law.

Course outline:

This course will be presented through a series of lectures. The areas to be addressed will be: Share capital; repurchases; shares and debentures; alteration of shareholders' rights and schemes of arrangement; raising share capital; membership; transfer and dealing; uncertified shares; insider trading; takeovers; dividends; financial markets and their regulation and derivatives.

Lectures: Two double lectures per week, at times to be arranged.

DP requirements: Satisfactory attendance at and participation in lectures.

Assessment: One examination in November counts for 60% and the year mark counts 40% of the final grade. Year mark based on test(s) and assignment(s).

CML5606W MASTERS IN COMMERCIAL LAW DISSERTATION PART (was CML6006W)

HEQF credits: 120 at level 9

Higher postgraduate course, whole year.

Course co-ordinator(s): Associate Professor G Bradfield.

Prerequisites: See Rules for LLM and MPhil Degrees.

Course outline:

A Master of Laws (LLM) or Master of Philosophy (MPhil) student must write a minor dissertation on a subject of legal interest related to one of their courses. The subject of the dissertation must also satisfy the rules applicable to the particular programme. The minor dissertation may not exceed 25 000 words in length. Although an original contribution to knowledge is always desirable in a minor dissertation, it is not an essential requirement. However, candidates must show that they have:

- a thorough knowledge of the subject chosen;
- mastered techniques required for competent research in law;

- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

**CML5607W POSTGRADUATE DIPLOMA IN LAW (LABOUR LAW)
RESEARCH PAPER (was CML6007W)**

HEQF credits: 60 at level 9

Higher postgraduate course, whole year.

Course co-ordinator(s): Ms S Singlee.

Prerequisites: See Rules for Postgraduate Diplomas.

Course outline:

A Postgraduate Diploma in Law student must write a research paper on a subject of legal interest related to one of their courses. The subject of the research paper must also satisfy the rules applicable to the particular programme. The research paper may not exceed 12 500 words. Although an original contribution to knowledge is always desirable in a research paper, it is not an essential requirement. However, candidates must show that they have:

- knowledge of the subject chosen;
- mastered techniques required for research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

CML5611W MASTERS IN TAX LAW DISSERTATION PART (was CML6011W)

HEQF credits: 120 at level 9

Higher postgraduate course, whole year.

Course co-ordinator(s): Ms TL Gutuza.

Prerequisites: See Rules for LLM and MPhil Degrees.

Course outline:

A Master of Laws (LLM) or Master of Philosophy (MPhil) student must write a minor dissertation on a subject of legal interest related to one of their courses. The subject of the dissertation must also satisfy the rules applicable to the particular programme. The minor dissertation may not exceed 25 000 words in length. Although an original contribution to knowledge is always desirable in a minor dissertation, it is not an essential requirement. However, candidates must show that they have:

- a thorough knowledge of the subject chosen;
- mastered techniques required for competent research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

CML5613S COLLECTIVE LABOUR LAW (was CML6013S)

HEQF credits: 30 at level 9

Higher postgraduate course, second semester, one seminar per week.

Course co-ordinator(s): Professor P Benjamin.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas. Candidates must have a sufficient level of competence in the field of labour law.

Course outline:

An examination of the statutory and extra-statutory forms of collective bargaining and worker

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participation in South Africa and the legal regulation of industrial action.

DP requirements: Satisfactory attendance at seminars and completion of written assignments.

Assessment: Essays and an examination.

CML5614W MASTERS IN LABOUR LAW DISSERTATION PART

(was CML6014W)

HEQF credits: 120 at level 9

Higher postgraduate course, whole year.

Course co-ordinator(s): Ms S Singlee.

Prerequisites: See Rules for LLM and MPhil Degrees.

Course outline:

A Master of Laws (LLM) or Master of Philosophy (MPhil) student must write a minor dissertation on a subject of legal interest related to one of their courses. The subject of the dissertation must also satisfy the rules applicable to the particular programme. The minor dissertation may not exceed 25 000 words in length. Although an original contribution to knowledge is always desirable in a minor dissertation, it is not an essential requirement. However, candidates must show that they have:

- a thorough knowledge of the subject chosen;
- mastered techniques required for competent research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

CML5615W POSTGRADUATE DIPLOMA IN LAW (TAX LAW) RESEARCH

PAPER (was CML6015W)

HEQF credits: 60 at level 9

Higher postgraduate course, whole year.

Course co-ordinator(s): Ms TL Gutuza.

Prerequisites: See Rules for Postgraduate Diplomas.

Course outline:

A Postgraduate Diploma in Law student must write a research paper on a subject of legal interest related to one of their courses. The subject of the research paper must also satisfy the rules applicable to the particular programme. The research paper may not exceed 12 500 words. Although an original contribution to knowledge is always desirable in a research paper, it is not an essential requirement. However, candidates must show that they have:

- knowledge of the subject chosen;
- mastered techniques required for research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

CML5616F INTERNATIONAL AND COMPARATIVE LABOUR LAW

(was CML6016F) (*Not on offer in 2013*)

HEQF credits: 30 at level 9

Higher postgraduate course; first semester, one triple-period seminar per week, provisionally Mondays, 17h00 - 20h00.

Course co-ordinator(s): Professor A Rycroft.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas. Candidates must have a sufficient level of competence in the field of labour law.

Course outline:

This is an advanced course which focuses on selected topics in relation to other national and international jurisdictions as points of reflection for developments in South African labour law. Topics to be covered will be prescribed from year to year and will be chosen from the following, among others:

Comparative method and labour law;

International Labour Standards and other sources of international labour law;

Prospects for regional integration and labour law harmonisation in Southern Africa Discrimination and equity in employment;

Freedom of Association;

Workers' participation;

The public sector;

Social Security

DP requirements: Satisfactory attendance and presentation at seminars, and completion of written assignments.

Assessment: Seminar presentations, written assignments and long paper (externalised) count for 100%.

CML5616W MASTERS IN SHIPPING LAW DISSERTATION PART

(was CML6016W)

HEQF credits: 120 at level 9

Higher postgraduate course, whole year.

Course co-ordinator(s): Associate Professor G Bradfield.

Prerequisites: See Rules for LLM and MPhil Degrees.

Course outline:

A Master of Laws (LLM) or Master of Philosophy (MPhil) student must write a minor dissertation on a subject of legal interest related to one of their courses. The subject of the dissertation must also satisfy the rules applicable to the particular programme. The minor dissertation may not exceed 25 000 words in length. Although an original contribution to knowledge is always desirable in a minor dissertation, it is not an essential requirement. However, candidates must show that they have:

- a thorough knowledge of the subject chosen;
- mastered techniques required for competent research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

CML5617W POSTGRADUATE DIPLOMA IN LAW (SHIPPING LAW) RESEARCH PAPER (was CML6017W)

HEQF credits: 60 at level 9

Higher postgraduate course, whole year.

Course co-ordinator(s): Associate Professor G Bradfield.

Prerequisites: See Rules for Postgraduate Diplomas.

Course outline:

A Postgraduate Diploma in Law student must write a research paper on a subject of legal interest related to one of their courses. The subject of the research paper must also satisfy the rules applicable to the particular programme. The research paper may not exceed 12 500 words. Although

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an original contribution to knowledge is always desirable in a research paper, it is not an essential requirement. However, candidates must show that they have:

- knowledge of the subject chosen;
- mastered techniques required for research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

CML5620W POSTGRADUATE DIPLOMA IN LAW (COMMERCIAL LAW) RESEARCH PAPER (was CML6020W)

HEQF credits: 60 at level 9

Course co-ordinator(s): Associate Professor G Bradfield.

Prerequisites: See Rules for Postgraduate Diplomas.

Course outline:

A Postgraduate Diploma in Law student must write a research paper on a subject of legal interest related to one of their courses. The subject of the research paper must also satisfy the rules applicable to the particular programme. The research paper may not exceed 12 500 words. Although an original contribution to knowledge is always desirable in a research paper, it is not an essential requirement. However, candidates must show that they have:

- knowledge of the subject chosen;
- mastered techniques required for research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

CML5622S PENSIONS AND SOCIAL SECURITY LAW (was CML6022S) (*Not on offer in 2013*)

HEQF credits: 30 at level 9

Higher postgraduate course, second semester.

Course co-ordinator(s): Professor A Rycroft.

Guest Lecturers: Mr N Jeram, Associate Professor V Taylor and Ms K Malherbe (UWC).

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline:

This course is designed to give, among others, legal practitioners, human resource and industrial relations practitioners, trade unionists and para-legals at an advanced level an introduction to the theory and practice of social security in South Africa and selected jurisdictions. The course focuses on a number of topics, including, among others, the following:

1. Historical development;
2. Definition and scope;
3. Social security in South Africa: current situation and prospects;
4. International and comparative dimensions (with emphasis on ILO and World Bank approaches and trends in developing countries);
5. Issues of rationalisation in South Africa and Southern Africa.

DP requirements: Satisfactory attendance, presentation and completion of written assignments.

Assessment: By way of seminar presentations, written assignments and a long paper.

CML5624F ADMIRALTY JURISDICTION AND PRACTICE (was CML6024S)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester, two double lectures per week. Part of the specialised Master's or Postgraduate Diploma in Shipping Law.

Course co-ordinator(s): Associate Professor G Bradfield.

Prerequisites:

Students wishing to register for this course are required to have an LLB or equivalent degree.

The Faculty reserves the right to limit classes to 20 students, with preference given to those who are registered for the specialist programme in Shipping Law.

Course outline:

Part I: Admiralty Jurisdiction:

A full introduction to the jurisprudence of admiralty in South Africa traces the history of the development of Admiralty in the civilian and common law systems; the development and prohibition of Admiralty causes in England, the reception of 19th century English Admiralty law into the Cape and Natal; The maritime lien as the cornerstone of English Admiralty law, and the statutory right in rem; The changes brought about by the Admiralty Jurisdiction Regulation Act, 1983; the law presently applicable to Admiralty disputes in SA; and the SA court structure.

Part II: Admiralty Practice:

A full examination of statutory Admiralty practice in SA today; the 'maritime claim' of the Admiralty Jurisdiction Regulation Act, and the manner in which it may be enforced; Arrest and attachment law and procedure; associated ship arrests, and the arrest and attachment of property other than a ship; security for claims and for costs; declining jurisdiction, stays and joinders; pre-trial evidence, inspection and discovery procedures; judicial sale ranking against funds in court; and an analysis of the Admiralty Court Rules.

A brief overview of the English and American systems is undertaken. Depending on the nationalities of participating students, other countries are compared.

DP requirements: Satisfactory attendance at and participation in lectures and seminar sessions. Satisfactory completion of two written assignments during the semester.

Assessment: Two written assignments and one three-hour examination. Assignment marks collectively count 50% towards the year-end course evaluation.

CML5626S CARRIAGE OF GOODS BY SEA (was CML6026S)

HEQF credits: 30 at level 9

Higher postgraduate course, second semester. Part of the specialised Master's or Postgraduate Diploma in Shipping Law.

Course co-ordinator(s): Associate Professor G Bradfield.

Prerequisites:

The Faculty reserves the right to limit classes to 20 students, with preference given to those who are registered for the specialist programme in Shipping Law.

Course outline:

Although the course focuses on South African law, comparisons are made with the laws of other jurisdictions, particularly those represented by foreign students on the course. The focus is on:

- (i) The business of carriage of goods by sea, including: shipping and international trade; carriage documents and their interaction; INCO Terms; other international attempts at standardisation in carriage; electronic commerce in shipping;
- (ii) General principles of carriage of goods by sea, including: applicable law; the common carrier; international carriage regimes: the Hague, Hague-Visby, Hamburg and Rotterdam Rules; the SA Carriage of Goods by Sea Act; Title to Sue and the Sea Transport Documents Act; limitation of liability for cargo claims; Bills of lading; Charterparties. Cargo claims and charter party seminars will be conducted, where possible in the presence of practising attorneys specialising in the field. These may take the form of moots.

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Lectures: One three-day full-time session during the second week of the second semester, followed by evening classes, Wednesdays 16h30 - 18h00, until the end of the semester when a second three-day full-time session will be held. Alternatively, two late afternoon sessions, per week 16h30 and 18h00.

DP requirements: Satisfactory attendance at and participation in lectures and seminar sessions. Satisfactory completion of two written assignments during the semester. Attendance at both full-time (day) sessions is compulsory (if applicable).

Assessment: One three-hour examination, at the end of the semester. Two written research assignments, or one assignment and a debate, will be set during the semester. Assignment and moot marks collectively count 50% towards the year-end course evaluation.

CML5631S MEDIATION

HEQF credits: 30 at level 9

Higher postgraduate course, second semester.

Course co-ordinator(s): Professor A Rycroft.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Objective: The aim of the course is to develop academic and professional proficiency in labour law, conflict management, negotiation, arbitration, conciliation, dispute prevention and resolution, and relevant aspects of labour economics and human resource development. The course is principally targeted at persons who are either already practising as conciliators and arbitrators (and wish to further develop their academic and professional skills) or those who wish to gain proficiency in this area.

Course outline:

The course comprises the following modules:

Module 1: Conflict Management

Conflict definition; conflict sources; conflict management (dispute prevention, dispute settlement); approaches to conflict management; conflict path.

Module 2: Negotiation

Different forms of negotiations (interest based, competitive based, position based); developing negotiation skills (skills in problem solving, listening, paraphrasing, dealing with threats and anger); case studies and role-plays.

Module 3: Conciliation

Definition (issues coming to conciliation, what is mediation, what is fact-finding, what is an advisory award); case studies/role play; conciliation procedures.

Module 4: Arbitration

Definition; issues coming before arbitration; dismissal (issues of right: operational requirements, misconduct, incapacity); interest issues (wages, job grading); interpretation issues; arbitration procedures (opening arguments, narrowing the issues, examination in chief, evidence, re-examination, interventions by the arbitrator, cross-examination, closing arguments, the award); special focus on admissibility of evidence, assessment of evidence, dealing with representation, dealing with preliminary points, conciliating in arbitration.

Module 5: Dispute Prevention

Definition; codes of conduct; guidelines; ministerial/State's role; collective agreements; relationship building.

Module 6: Drafting

Awards; agreements; opinions

DP requirements: Satisfactory attendance of lectures, presentations and practicals, and completion of written assignments.

Assessment:

Prescribed assignments and written examination	50%
Performance in mediation	50%

CML5640F INTERNATIONAL ECONOMIC LAW (was CML6040F)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester.

Course co-ordinator(s): Ms K Lehmann.**Prerequisites:** See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.**Course outline:**

International Economic Law complements the first semester International Commercial Transaction Law course. International Economic Law examines the public law aspects of international trade, the international regulatory framework within which private traders operate. In the course we will examine the principles and practices of the 'big three' international economic organisations, the World Bank, the International Monetary Fund and the World Trade Organisation, and the link between each of the three and the promotion of international trade. We will consider the World Bank's role in facilitating development, the IMF's role in maintaining global economic stability, and the WTO's role as a forum for trade negotiations. We will consider, specifically, why it is that these organisations have become the target of considerable criticism amongst so-called "anti-globalisers". The perspective from which we will look at these issues is that of a sub-Saharan developing country.

DP requirements: None.**Assessment:** Course work counts 30% and a final three hour examination counts 70% of the final mark.

CML5641S COMMERCIAL ARBITRATION (was CML6041S)

HEQF credits: 30 at level 9

Higher postgraduate course, second semester. Three hours of lectures or tutorials per week, with a two-week full-time block teaching period.

Course co-ordinator(s): Professor A Rycroft.**Prerequisites:** See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.**Course outline:**

The historical development, law and practice of commercial arbitration, domestic and international. Arbitral institutions and their rules. Practical exercises in the conduct of arbitrations.

DP requirements: Satisfactory attendance at lectures and tutorials, completion of written assignments.**Assessment:** Assignments counting 30% of the final mark, a three-hour written examination paper counting 70% of the final mark.

CML5651F INDIVIDUAL EMPLOYMENT LAW (was CML6051F)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester.

Course co-ordinator(s): Professor R le Roux.**Prerequisites:** See Rules for LLM and MPhil Degrees and Postgraduate Diplomas. Non-law graduation and students admitted on the basis of Rule FG3 (6) will be required to attend a two-day seminar prior to the commencement of the course. Dates will be provided during registration.**Course outline:**

This course is designed to give, among others, legal practitioners, human resource and industrial relations practitioners, trade unionists and para-legals a working knowledge of individual labour law. The course seeks to examine and analyse legal rules and institutions in context, emphasising the practical application of labour law. The course will focus on the following major areas: Definition and scope of labour law; Individual labour relations; Dismissal; Basic Conditions of Employment; Skills development; Dispute resolution.

DP requirements: Satisfactory attendance, presentation and successful completion of written assignments. Students may be required to attend a weekend workshop.**Assessment:** By way of optional written assignments and an examination.

CML5654S COMPETITION LAW (was CML6054S)

HEQF credits: 30 at level 9

Higher postgraduate course, second semester, two double lectures per week.

Course co-ordinator(s): Judge DM Davis.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Objective: The course will focus on and will aim to develop an understanding of the law and principles of competition policy in countries and regions across the globe, including, specifically, South Africa, the United States and the European Union.

Course outline:

The course aims to develop an understanding of and critical discourse on, inter alia, the following:

- The role of markets and competition law in relation to the poor;
- The relationship between aggregate efficiency, economic opportunity for those without power, industrial policy and equity for the poor or powerless;
- The relationship between the common good and the national good;
- The tension between a country's right to regulate in the national interest and its obligation not to cause external harm.

DP requirements: Satisfactory attendance at lectures and presentation of seminars, and completion of projects.

Assessment: Assessment is continuous.

Students submit a mid-term seminar paper on a relevant topic

and present a seminar in relation to the topic of the paper 50%

Written examination 50%

CML5655S ADVANCED COMPANY LAW: CORPORATE GOVERNANCE
(was CML6055S)

HEQF credits: 30 at level 9

Higher postgraduate course, second semester.

Course co-ordinator(s): Dr T Wiese.

Prerequisites: Competent academic and/or practical knowledge of the general principles of South African company law.

Lectures: Two double lectures per week, one week in July or August and October (to be confirmed at registration).

Objective: To promote academic and practical expertise in the area of company law generally and to stimulate academic debate, critical thinking and possible advocacy around certain of the more complex and controversial areas, as well as areas which may be affected by the corporate law reform initiative currently underway.

Course outline: This course will be presented through a series of lectures. The areas which will be addressed are corporate governance and selected topical aspects of company law which may include corporate law reform, the corporate purpose and corporate stakeholders, auditors' liability, voting rights, shareholders' remedies, piercing the corporate veil, directors' duties and liability, statutory restrictions on directors and BEE.

DP requirements: Satisfactory attendance at and participation in lectures.

Assessment: Test(s) and assignment(s) count 40% and one examination in November counts for 60% of the final grade.

CML5657S ELECTRONIC INTELLECTUAL PROPERTY LAW (was CML6057S)

HEQF credits: 30 at level 9

Higher postgraduate course, fifty contact hours, second semester, two double lectures per week or two intense weeks of teaching.

Course co-ordinator(s): Dr C Ncube.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Objective: The course aims to provide an in-depth overview of relevant laws that govern intellectual property that is delivered and used electronically.

Course outline:

1. Relevant international, regional and domestic sources of the law
2. Copyright (digital rights management, enforcement, file sharing, limitations and exceptions, user generated content)
3. Database protection
4. Trade marks and domain names
5. Patents (protection of computer programs and business methods)

DP requirements: None.

Assessment:

One or two projects	25% or 50%
Examination	50% or 75%

CML5658S ELECTRONIC TRANSACTIONS LAW (was CML6058S)

HEQF credits: 30 at level 9

Higher postgraduate course, fifty contact hours, second semester, two double lectures per week or two intense weeks of teaching.

Course co-ordinator(s): Dr C Ncube.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Objective: The course aims to provide an in-depth overview of relevant laws that regulate electronic transactions.

Course outline:

1. Relevant international, regional and domestic sources of the law regulating electronic transactions
2. Electronic transacting and the doctrine of functional equivalence
3. Electronic contracts and payment methods
4. Consumer protection
5. Privacy
6. Electronic crime
7. Standards
8. ISPs and their liability
9. Online dispute resolution
10. Taxing electronic commerce

DP requirements: None.

Assessment:

One or two projects	25% or 50%
Examination	75% or 50%

CML5660F LEGAL COMPLIANCE MANAGEMENT (was CML6060F) (*Not on offer in 2013*)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester. Two one-week sessions (25 lectures per week) during the semester.

Course co-ordinator(s): Professor A Rycroft.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas. Diploma Certificate course in Legal Compliance Management offered by UCT.

Objectives:

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The main objectives of this course are to provide the student with:

- an appreciation of the relationship between good corporate governance, compliance and risk management
- an appreciation of the importance of the compliance function in a financial institution
- a knowledge of the operation of reliable and effective systems to manage and minimise the risk of material compliance failures
- the opportunity to acquaint yourself with the regulatory framework that governs financial institutions in South Africa.

Course outline:

- Selected aspects of Interpretations of statute
- Selected aspects of corporate governance
- Overview of selected new legislation
- The South African regulatory framework
- Enterprise-wide risk management
- Compliance policy
- Compliance strategy
- Compliance governance structures
- The compliance framework
- Compliance risk management.

DP requirements: Attendance at and participation in lectures. Completion of written assignment(s).

Assessment:

One (or more) written assignments	40%
Examination	60%

CML5661W TAX LAW (was CML6061W)

HEQF credits: 60 at level 9

Higher postgraduate double course, taught throughout the year.

Course co-ordinator(s): Associate Professor T Emslie.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Objective: The objective of the course is to nurture tax lawyers and to provide non-lawyers with an insight into tax law and the rights of taxpayers in regard to liability for taxation. The accent is on the practical application of tax legislation as interpreted by the courts. The aim is to produce commercial lawyers who will be able to achieve tax efficiency when drafting agreements, negotiating contracts and advising their clients, and to foster a similar awareness of tax issues in other professionals.

Course outline:

This is a one-year course that focuses on income tax law as pronounced upon by the courts. Its compass is necessarily restricted by the amount of lecturing time available, but also - deliberately - by the content of areas of dispute within which South African jurisprudence has been developed by the courts.

Tax law as an area of both practice and academic study is characterised by regular, frequent and, in recent years, substantial change. The chosen teaching method accordingly recognises that much information in the form of legislation, and the interpretation thereof by the courts, is likely to change significantly in the short term and possibly substantially in the medium to long term.

The objective of the course is to impart a way of thinking about tax issues and problems; and in order to achieve this extensive use is made of court pronouncements in areas which are likely to remain fundamental to our system of taxation - despite continuous reinterpretation by the courts and a shifting legislative context. Students who engage actively in this process obtain thereby a principled foundation and grasp that equips them to master the inevitable changes that characterise this branch of the law. This is an ability that is required of all tax professionals, whether academic or in practice, and the aim of this course is to foster and nurture the necessary skills.

The emphasis of the course is accordingly on knowledge rather than information, knowledge that will stand the test of time and enable graduates to integrate future tax changes into their

methodology of resolving difficult tax problems in accordance with South African tax jurisprudence.

Lectures: Two lectures per week throughout the year, on Tuesday and Thursday evenings.

DP requirements: Candidates are required to pass (a minimum result of 50%) both the following: a two-hour written test in June which counts for 30%, and one three-hour final written examination in November which counts for 70%. Further tests maybe scheduled at the discretion of the convener.

NOTE: The Convener of the course may, at his/her discretion, limit the size of the class for didactic reasons. CML5661W Tax Law is the approved course for the award of the Postgraduate Diploma in Tax Law: it is also a double-course for the award of the LLM degree in Commercial Law or Tax Law.

CML5663W ADVANCED TAX LAW (was CML6063W)

HEQF credits: 60 at level 9

Higher postgraduate double course, taught throughout the year.

Course co-ordinator(s): Judge DM Davis and Ms TL Gutuza.

Prerequisites: A candidate is not permitted to register for this course unless he or she has either completed Tax Law (CML5661W) or, in the opinion of the Course co-ordinator(s), otherwise has a sufficiently sound academic background.

Objective: The objective of this course is to develop academic and professional proficiency in:

- South African capital transfer taxes, particularly value added tax law, donations tax and estate duty. This will be done by considering the tax legislation, its interpretation by the courts and its practical application in commerce.
- International tax law. This will be done by considering the unilateral and bilateral measures to prevent double taxation and international tax avoidance.

Course outline:

Part 1 of the course deals with Value added Tax, Donations tax and Estate Duty tax as levied in South Africa. The relevant legislation as interpreted by the courts, its practical application, both domestically and internationally will be examined.

Part 2 deals with international taxation. The course will cover, inter alia, trading into and out of South Africa, methods of relieving international double taxation, the interpretation and application of double taxation conventions, the Organisation for Economic Co operation and Development's (OECD) Model Convention on Income and on Capital, the United Nations Model Convention on Income and on Capital, the allocation of taxing liability of various forms of income, international tax avoidance including transfer pricing and thin capitalisation and exchange control.

Candidates are required to present papers, disseminated in advance to the class as a whole, on approved topics. Active participation is required in all seminars at which papers are presented. The number of papers to be presented will depend on the size of the class but will not be less than two. Prior to the presentation of seminars, a set of lectures will be presented.

Lectures: One two hour seminar per week save in the case of lectures (two double lectures per week).

DP requirements: Satisfactory attendance and presentation of seminar papers.

Assessment: The papers presented by the candidates, which are to be written up following criticism and comment during the presentation, will count for 50% and a further four hour examination counts for the remaining 50%. Both the papers and the examination must be passed.

NOTE: The Convener of the course may, at his/her discretion, limit the size of the class for didactic reasons. CML5663W Advanced Tax Law is also a double-course for the award of the LLM degree in Commercial Law or Tax Law.

CML5664F LAW AND REGIONAL INTEGRATION IN AFRICA: COMPARATIVE PERSPECTIVE (was CML6064F)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester.

Course co-ordinators: TBA.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline:

The aim of the course is to provide a forum for students at an advanced level to critically study and analyse developments related to law and regional integration in Africa and other regions of the world. Production of research is also expected of the students.

The course will focus on both commercial and public law aspects in relation to regional integration in Africa and elsewhere. It will therefore examine in a comparative context legal aspects of economic and political integration in various regions with Africa as the starting point. The classes will consist of a combination of lectures by conveners and guest lecturers and seminar presentations on selected topics by students. All lectures and seminars will be on the basis of extensive background reading of relevant materials.

Lecturers and seminars will mainly focus on historical developments of regionalism in Africa and elsewhere, theories of regional integration, legal aspects of institutional and normative framework of African and other regional integration experiences. In terms of Africa, the focus will be on the normative and institutional framework of the African Union (AU) and debate on the United States of Africa; the role of 'soft' mechanisms of the African Union such as NEPAD and the African Peer Review Mechanism (APRM) in the facilitation of regional economic and political integration; the relationship between the AU and sub-regional organizations such as ECOWAS, SADC, EAC to the African Union; challenges of harmonisation of laws and the domestication of African economic agreements, prospects and challenges of regional integration.

There will be a similar focus on other regional integration experiences such as those of Europe and North America. The Course presentation will be a mix of lectures and student seminars and discussions.

DP requirements: None.

Assessment: Continuous assessment (written assignments and seminar presentations): 45%

Written examination: 55%

CML5670F ADVANCED INSURANCE LAW (was CML6070F)

(Not on offer in 2013)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester.

Course co-ordinator(s): Associate Professor G Bradfield.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas. Students enrolling for this course are required to have an LLB or equivalent degree.

The Faculty reserves the right to limit classes to 20 students, with preference given to those who are registered for the specialist programme in Shipping Law.

Course outline:

Advanced Insurance Law commences with an outline of the history of insurance law, from its origins in the marine insurance practices of Italian city states, and its reception through Europe and eastwards to England where much of today's insurance law was distilled. The first part of the course concentrates on general principles of insurance law, including the notion of an insurable interest, good faith in insurance contracts, warranties and exceptions; risk and causation and claims procedures. Both short term and long term insurances are dealt in illustrating these general principles.

The second part of the course focuses on marine insurance and on one of life insurance, accident insurance, pension insurance or professional indemnity insurance. A specialist in the field(s) chosen will be invited to present sessions dealing with that area of insurance law.

Where possible, students will be given a practical insight into the workings of the insurance market, and the demands that the industry places on the law to regulate its business. Areas where insurance law could benefit from reform will be discussed.

While the course will cover the South African law of insurance, a comparative multi-jurisdictional approach will be taken – both because insurance law has international roots and common threads, and because comparison (especially to jurisdictions represented by foreign students attending the course) gives greater insight to where insurance law has come from, and where it is likely to go.

DP requirements: Satisfactory attendance at, and participation in lectures and seminar sessions. Satisfactory completion of both assignments during the semester.

Lectures: One three-day full-time session in the second week of the first semester, followed by late afternoon classes 16h30-18h00 once a week until the end of the semester when a second three-day full-time session will be held. Alternatively, two late afternoon sessions for the full semester, 16h30-18h00.

Assessment: Two assignments (or one assignment and an examined debate) will be set during the semester together counting 50% of the course mark. Late assignments will be penalised with mark deductions. One three hour examination at the end of the semester counting 50% of the final grade.

CML5671F NEGOTIATION (was CML6071F)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester.

Course co-ordinator(s): Professor A Rycroft.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline:

Negotiation is a fundamental method of resolving disputes in the labour field and a discrete course in this area will enhance the study of mediation and arbitration.

The course is designed to provide a theoretical understanding of why and how people negotiate, coupled with insights into the foundations of effective and ethical negotiation and the dynamics of the negotiation process. The course will involve simulated negotiations and students are expected to participate fully in this process.

DP requirements: None.

Assessment: Examination counts 75% and year mark counts 25% of final grade.

CML5672S THE LEGAL ASPECTS OF CORPORATE FINANCING STRUCTURES (was CML6072S)

HEQF credits: 30 at level 9

Higher postgraduate course, second semester.

Course co-ordinator(s): Ms TL Gutuza.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline:

The course will be presented through a series of lectures and seminars. The aim of the course is to develop academic and professional proficiency in the legal aspects of corporate financing arrangements. The areas to be addressed will include:

- Selected legislation
- Regulatory aspects of non-equity financing
- Debt versus equity financing
- Non-equity financing methods, including:
 - Loan agreements
 - Convertible debentures

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Sale and lease backs
Securitization
Project financing

- Equity financing methods such as preference share funding
- Relevant issues to consider in non-equity financing structures such as company law, tax, insolvency, security
- Specific types of structured financing deals such as BEE and private equity structures.

DP requirements: None.

Assessment: Written assignments count 40% and one three-hour examination counts 60%.

CML5673S INTERNATIONAL COMMERCIAL TRANSACTIONS LAW

(was CML6073S)

HEQF credits: 30 at level 9

Higher postgraduate course, second semester, offered in block format at the start of the second semester.

Course co-ordinator(s): Associate Professor G Bradfield.

Prerequisites: See Rules for LLM Degrees.

Course outline:

The contractual aspects of international commercial transactions, but not the regulatory and policy aspects that are covered in International Economic Law (CML6040F) in the first semester.

Topics covered:

1. Law applicable to an international contract and consequences of choice of law;
2. Modern *Lex Mercatoria*;
3. Harmonisation of private law;
4. United Nations Convention on contracts for the International Sales of Goods (CISG);
5. Incoterms 2000;
6. Carriage of goods;
7. Insurance;
8. Documentary credits;
9. Demand Guarantees;
10. Cross-border insolvency.

DP requirements: None.

Assessment: A written assignment counting 30% and a three hour written examination in November counting 70% of the final mark.

CML5674W MASTERS IN INTERNATIONAL TRADE LAW DISSERTATION

PART (was CML6074W)

HEQF credits: 120 at level 9

Course co-ordinator(s): Associate Professor G Bradfield.

Prerequisites: See Rules for LLM Degrees.

Course outline:

A Master of Laws (LLM) or Master of Philosophy (MPhil) student must write a minor dissertation on a subject of legal interest related to one of their courses. The subject of the dissertation must also satisfy the rules applicable to the particular programme. The minor dissertation may not exceed 25 000 words in length. Although an original contribution to knowledge is always desirable in a minor dissertation, it is not an essential requirement. However, candidates must show that they have:

- a thorough knowledge of the subject chosen;
- mastered techniques required for competent research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

CML5676S WORKPLACE DISCRIMINATION AND EQUALITY LAW

HEQF credits: 30 at level 9

Higher postgraduate course, second semester.

Course co-ordinator(s): Associate Professor D Collier.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline:

The course aims to examine the constitutionally embedded concept of substantive equality in the context of the South African labour market and workplace. The regulation of employment discrimination and affirmative action, which pivots around the provisions of the Employment Equity Act of 1998, will be explored through the lens of South African case law, alongside an examination of selected theoretical and sociological perspectives, and comparative developments, on equality and discrimination. The course will provide students with the necessary skills to deal with discrimination problems that may arise in the workplace, including harassment and discrimination on the basis of race, sex and gender.

DP requirements: None.

Assessment: Examination counts 50% and year mark counts 50%.

CML5677F ISLAMIC LAW AND FINANCE (*Not on offer in 2013*)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester.

Course co-ordinator(s): Dr W Amien.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline:

This course will provide law graduates, legal professionals and practitioners in the finance sector with the necessary knowledge about the laws relating to Islamic finance and its interaction with South African law as well as comparative perspectives of Islamic finance from across the African continent and further abroad. The course will include a consideration of: the theory of Islamic economics; legal personality as understood in Islamic law; general and classical Islamic economic instruments; and Islamic financial instruments. It will also focus on the interaction between Islamic financing agreements and South African law. With reference to the Income Tax Act 58 of 1962, it will concentrate on the taxation of Islamic financing arrangements, with particular emphasis on the application of the legislative provisions and the effect of section 24JA. Finally, the course will offer comparative insights into Islamic financing drawn from the African region and the international arena.

DP requirements: None.

Assessment:

Class presentation	10%
Assignment/research paper	30%
Examination	60%

The presentation will be on the chosen or given assignment/research paper.

CML5678F PRINCIPLES OF INTELLECTUAL PROPERTY LAW (was RDL 5614F)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester.

Course co-ordinator(s): Ms L-A Tong.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

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Course outline:

This course aims to provide a sound understanding of the key intellectual property laws in South Africa. The topics include:

- International sources of intellectual property law
- Copyright
- Trade Marks
- Unlawful Competition
- Patents

DP requirements: None.

Assessment:

Coursework (opinions and assignments)	40%
Examination	60%

CML5679F DEVELOPMENTAL ISSUES IN INTELLECTUAL PROPERTY LAW (was RDL5613S) (*Not on offer in 2013*)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester. One double lecture (3 hours) per week or two intense weeks training, or a combination of weekly lectures and intense training.

Course co-ordinator(s): Ms L-A Tong.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas. Students who have not studied Intellectual Property law at tertiary level or who do not have adequate work experience in Intellectual Property may be required to complete an introductory workshop course (6-8 hours over two Saturdays).

Objective: This course examines the main pillars of intellectual property law and analyses its impact on a range of public policy objectives in developing countries. It is of a multi-disciplinary nature and cuts across issues such as health, education, food security and internet governance.

Course outline: Topics that are likely to be addressed in the course include:

The historical evolution of intellectual property rights

1. Innovation and technology transfer
2. The impact of intellectual property rights on health, education and food security
3. Genetic resources and traditional knowledge
4. Information technology and freedom of expression
5. Trademarks and geographical indications
6. Emerging trends in international intellectual property policy

Other issues that may be considered include copyright and related-rights, and the access to knowledge, as well as measures to address access and benefit-sharing, the transfer of technology and biopiracy.

DP requirements: Attendance at and participation in lectures. Completion of assignment(s).

Assessment:

Year mark	50%
Examination	50%

CML5680S ADVANCED INTELLECTUAL PROPERTY LAW (*Not on offer in 2013*)

HEQF credits: 30 at level 9

Higher postgraduate course, second semester. One double lecture (3 hours) per week or two intense weeks training, or a combination of weekly lectures and intense training.

Course co-ordinator(s): Ms L-A Tong.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas. A student is not permitted to register for this course unless he or she has either completed Principles of Intellectual

Property Law (CML5678F) or, in the opinion of the course co-ordinator(s), otherwise has a sufficiently sound academic background in intellectual property law.

Course outline:

The course aims to develop academic proficiency in selected aspects of intellectual property law. The focus is on South Africa within the context of international intellectual property practice. This will be done by examining the existing legislation and common law of South Africa and its interpretation. The course will be presented through seminars and lectures. The topics to be covered will be prescribed from year to year and may be chosen from the following, amongst others:

- Sources and principles of international intellectual property law – WTO, WIPO, regional institutions
- Aspects of Copyright – such as fair use/dealing, alternative licensing models, databases
- Aspects of Trade Marks – such as dilution, the ASA, domain names
- Aspects of Patents – such as biotechnology, business method patents
- Infringement issues – such as Counterfeiting and Piracy, parallel importation
- Performers’ rights
- Personality rights
- Publicly financed intellectual property

DP requirements: None.

Assessment:

Coursework (opinions and assignments)	40%
Examination	60%

CML5681W MASTERS IN INTELLECTUAL PROPERTY LAW DISSERTATION

PART (was RDL5622W)

HEQF credits: 120 at level 9

Course co-ordinator(s): Ms L-A Tong.

Prerequisites: See Rules for LLM and MPhil Degrees.

Course outline:

A Master of Laws (LLM) or Master of Philosophy (MPhil) student must write a minor dissertation on a subject of legal interest related to one of their courses. The subject of the dissertation must also satisfy the rules applicable to the particular programme. The minor dissertation may not exceed 25 000 words in length. Although an original contribution to knowledge is always desirable in a minor dissertation, it is not an essential requirement. However, candidates must show that they have:

- a thorough knowledge of the subject chosen;
- mastered techniques required for competent research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% Written work.

CML5682W POSTGRADUATE DIPLOMA IN LAW (INTELLECTUAL PROPERTY LAW) RESEARCH PAPER (was RDL5621W)

HEQF credits: 60 at level 9

Course co-ordinator(s): Ms L-A Tong.

Prerequisites: See Rules for Postgraduate Diplomas.

Course outline:

A Postgraduate Diploma in Law student must write a research paper on a subject of legal interest related to one of their courses. The subject of the research paper must also satisfy the rules applicable to the particular programme. The research paper may not exceed 12 500 words. Although an original contribution to knowledge is always desirable in a research paper, it is not an essential

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requirement. However, candidates must show that they have:

- knowledge of the subject chosen;
- mastered techniques required for research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

CML5683F COMPARATIVE LEGAL SYSTEMS

HEQF credits: 30 at level 9

Course co-ordinator(s): Professor S Mancuso.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline:

The course aims to provide law graduates, legal professionals and practitioners with the necessary knowledge about comparative legal systems and its interaction with South African law. This course will cover:

- The discipline, its history and uses
- Comparative law methodology
- The object of comparison; macro and micro-comparison
- Legal formants
- Legal transplants; reasons for legal transplants; feasibility of legal transplants
- Legal traditions of the world of identification; classification and problems of comparison; short presentations – civil law, common law, socialist law, Islamic law, Hindu law, Chinese law, Jewish law
- Mixed legal systems
- Legal pluralism
- Legal Hybridity

DP requirements: None.

Assessment:

Class presentation	10%
Assignment/research paper	30%
Examination	60%

The presentation will be on the chosen or given assignment/research paper.

CML5684F AFRICAN LAW

HEQF credits: 30 at level 9

Course co-ordinator(s): Professor S Mancuso.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline:

The course aims to provide law graduates, legal professionals and practitioners with the necessary knowledge about African law and its interaction with South African law. This course will cover:

- Law in Africa; the African concept of law; methodology for studying African law; stratigraphic method
- African native law; characteristics and peculiarities; the institutions of African native law; the political power
- The religious layer; Islamic law and its relations with African native law; other religious legal influences
- Colonial law

- The law of independence; the birth of the new African states; European pattern after the independence; African native law and the independence; religious law and the independence comparison; short presentations
- Law in Africa in the '90s; the fall of the socialist influence in Africa; the patterns imposed by the international financial institutions: aid, development and law in Africa; the resistance of African native law
- Law in the 21st century: legal integration, economic development and the law.

DP requirements: None.

Assessment:

Class presentation	10%
Assignment/research paper	30%
Examination	60%

The presentation will be on the chosen or given assignment/research paper.

CML5685S COMMON LAW

HEQF credits: 30 at level 9

Course co-ordinator(s): Dr A Ordor.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline:

This course is designed to familiarise Comparative Law students who are not trained in the common law system with various aspects of:

- English common law including the origins and sources of common law.
- Principles of common law jurisprudence in various subjects such as contracts, torts and criminal law.
- The common law approach to business law with reference to law and development.

DP requirements: None.

Assessment:

Class presentation	10%
Assignment/research paper	30%
Examination	60%

The presentation will be on the chosen or given assignment/research paper.

CML5686S CIVIL LAW

HEQF credits: 30 at level 9

Course co-ordinator(s): Dr A Ordor.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline:

This course is designed to familiarise Comparative Law students who are not trained in the civil law system with various aspects of:

- The origins and sources of civil law.
- Principles of civil law jurisprudence in various subjects such as contracts, torts and criminal law.
- The civil law approach to business law with reference to law and development.

DP requirements: None.

Assessment:

Class presentation	10%
Assignment/research paper	30%
Examination	60%

The presentation will be on the chosen or given assignment/research paper.

CML5687S CHINESE LAW AND INVESTMENTS IN AFRICA

HEQF credits: 30 at level 9

Course co-ordinator(s): Professor S Mancuso.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline:

This course is designed to familiarise those not trained in the common law system with various aspects of:

- Historical overview of Chinese law and institutions; Chinese law in the early XX century (1912 – 1948); Mainland China and Taiwan
- The People’s Republic of China, its political and institutional organisation
- Chinese institutional complexity; the two SARs of Hong Kong and Macau
- Chinese Socialist law: the early years of the RPC, the cultural revolution, the reforms started in 1987
- Chinese judiciary; law and politics
- Law in nowadays China: rule of men, rule by law, rule of law, socialist rule of law, rule of law with Chinese characteristic; Chinese law and the economy; contracts, property, antitrust, banking and insurance
- Conflict of laws
- Litigation and ADR in China
- Chinese investments in Africa; political approach and orientations for Chinese investments in Africa;
- the economic approach: the Chinese model of cooperation toward Africa vs the Western one; the legal aspects of Chinese investments in Africa and China-Africa legal cooperation

DP requirements: None.

Assessment:

Class presentation	10%
Assignment/research paper	30%
Examination	60%

The presentation will be on the chosen or given assignment/research paper.

CML5688W MASTERS IN COMPARATIVE LAW IN AFRICA DISSERTATION PART

HEQF credits: 120 at level 9

Course co-ordinator(s): Professor S Mancuso.

Prerequisites: See Rules for LLM and MPhil Degrees.

Course outline:

A Master of Laws (LLM) or Master of Philosophy (MPhil) student must write a minor dissertation on a subject of legal interest related to one of their courses. The subject of the dissertation must also satisfy the rules applicable to the particular programme. The minor dissertation may not exceed 25 000 words in length. Although an original contribution to knowledge is always desirable in a minor dissertation, it is not an essential requirement. However, candidates must show that they have:

- a thorough knowledge of the subject chosen;
- mastered techniques required for competent research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

CML5689W POSTGRADUATE DIPLOMA IN LAW (COMPARATIVE LAW IN AFRICA) RESEARCH PAPER

HEQF credits: 60 at level 9

Course co-ordinator(s): Professor S Mancuso.**Prerequisites:** See Rules for Postgraduate Diplomas.**Course outline:**

A Postgraduate Diploma in Law student must write a research paper on a subject of legal interest related to one of their courses. The subject of the research paper must also satisfy the rules applicable to the particular programme. The research paper may not exceed 12 500 words. Although an original contribution to knowledge is always desirable in a research paper, it is not an essential requirement. However, candidates must show that they have:

- knowledge of the subject chosen;
- mastered techniques required for research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.**Assessment:** 100% written work.

CML5690F MARITIME LAW AND MARINE INSURANCE (was CML5625F and CML5670F)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester. Part of the specialised Master's or Postgraduate Diploma in Shipping Law.

Course co-ordinator(s): Associate Professor G Bradfield.**Prerequisites:**

The Faculty reserves the right to limit classes to 20 students, with preference given to those who are registered for the specialist programme in Shipping Law.

Course outline:

Although the course focuses on South African law, comparisons are made with the laws of other jurisdictions.

The course covers acquisition, ownership and registration of ships; ship's mortgages; historical and modern wreck; master and crew; the operation of ships, including statutory requirements, SOLAS and the ISM Code, Port State Control and the sub-standard ship; Navigation & collisions; Salvage; Towing; Pilotage; Oil pollution liability; and the limitation of a ship owner's liability.

Lectures: Late afternoon classes twice weekly 16h30 - 18h00 for the duration of the semester, provisionally on Tuesdays and Thursdays. Classes include regular seminar sessions at which students are required to participate in discussion and presentation.

DP requirements: Satisfactory attendance at and participation in lectures and seminar sessions. Satisfactory completion of assignments during the semester.

Assessment: Two written research assignments or one assignment and one debate will be set during the semester. Assignment and debate marks collectively count 50% towards the year-end course evaluation. One three-hour examination, at the end of the semester.

CML5691S INTELLECTUAL PROPERTY LAW, DEVELOPMENT AND INNOVATION

HEQF credits: 30 at level 9

Course co-ordinator(s): Ms L-A Tong.**Prerequisites:** See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

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Course outline:

This course covers the relationship between intellectual property rights, innovation and development by examining the effect that the modern intellectual property system has on human development and welfare. It considers the tension between intellectual property rights (such as patents, copyright, trade marks) as drivers of innovation and creativity versus the potentially stifling effect they have on development. The focus will be on developing countries with an emphasis on Africa.

The topics and case studies to be covered will be prescribed from year to year and will be chosen from the following, amongst others:

- Technology transfer and innovation
- Publicly financed development of intellectual property
- Copyright and access to knowledge
- The effect of intellectual property rights on rights to health food security, and education
- Patents and genetic resources
- Traditional knowledge and traditional cultural expressions
- Trade marks and geographical indications
- International intellectual property policy (eg WTO, WIPO Development Agenda)

Students are advised to visit the Faculty website at the start of the relevant semester for an indication of the specific topics for the year.

DP requirements: None.

Assessment:

Year mark	50%
3-hour examination	50%

DOL5600F/S/Z LEGAL PRACTICE (was DOL6000F/S/Z)

HEQF credits: 30 at level 9

Higher postgraduate, first OR second semester, full time course extending over five-and-a-half months, or evening classes (course for LLM).

Course co-ordinator(s): Ms GY Kemp.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline:

This course is designed to train law graduates in the practice and procedure required for the practice of law and will concentrate on the following areas:

Module 1 (five weeks):

Structure of the Profession

Criminal Court Practice

Constitutional Law Practice - Assignment

Module 2 (ten weeks)

Module 2.1:

Magistrate's Court Practice

High Court Practice

Legal Costs

One two-and-a-half-hour paper.

Module 2.2: Broad-Based Skills Assessment

Personal Injury Claims

Insolvency Procedures

Matrimonial Matters and Divorce

One four-and-a-half hour open book assessment at the end of the course.

Module 3 (five weeks)

Module 3.1

Wills, Estates and Trusts

One two hour examination.

Module 3.2

Commercial Contracts

Forms of Business Enterprise

Commercial Litigation

Elective: Labour Dispute Resolution and Alternate Dispute Resolution

Elective: Introduction to Conveyancing

Customary Law (Online) – Assignment/s

One three hour paper.

Module 4 (three weeks)

Attorneys' Bookkeeping

Professional Conduct

Introduction to Practice Management (Assignment)

Lectures: Each weekday from 08h30 to 15h15 and on occasional Saturdays.

PBL5601W MASTERS IN PUBLIC LAW DISSERTATION PART (was PBL6001W)

HEQF credits: 120 at level 9

Course co-ordinator(s): Professor DM Chirwa.

Prerequisites: See Rules for LLM and MPhil Degrees.

Course outline:

A Master of Laws (LLM) or Master of Philosophy (MPhil) student must write a minor dissertation on a subject of legal interest related to one of their courses. The subject of the dissertation must also satisfy the rules applicable to the particular programme. The minor dissertation may not exceed 25 000 words in length. Although an original contribution to knowledge is always desirable in a minor dissertation, it is not an essential requirement. However, candidates must show that they have:

- a thorough knowledge of the subject chosen;
- mastered techniques required for competent research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

PBL5602F INTERNATIONAL LAW OF THE SEA (was PBL6002F) (Not on offer in 2013)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester. Offered in any year at the discretion of the Institute of Marine and Environmental Law.

Course co-ordinator(s): Professor A Paterson.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline:

- History and sources of the Law of the Sea.
- Baselines.
- Territorial Water Zones: Internal Waters; Territorial Sea; Archipelagic waters.
- Non-Territorial Water Zones: Contiguous Zone; Continental Shelf; Exclusive Economic Zone; Exclusive Fishing Zone.
- Zones Beyond Particular National Jurisdiction: High Seas; International Sea-Bed Area.
- Settlement of disputes.

DP requirements: Satisfactory attendance at and participation in lectures and tutorials.

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Assessment: One or more written assignments count for 40% and a written examination counts for 60%.

PBL5605W POSTGRADUATE DIPLOMA IN LAW (HUMAN RIGHTS LAW) RESEARCH PAPER (was PBL6005W)

HEQF credits: 60 at level 9

Course co-ordinator(s): Professor DM Chirwa.

Prerequisites: See Rules for Postgraduate Diplomas.

Course outline:

A Postgraduate Diploma in Law student must write a research paper on a subject of legal interest related to one of their courses. The subject of the research paper must also satisfy the rules applicable to the particular programme. The research paper may not exceed 12 500 words. Although an original contribution to knowledge is always desirable in a research paper, it is not an essential requirement. However, candidates must show that they have:

- knowledge of the subject chosen;
- mastered techniques required for research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

PBL5608S MARINE RESOURCES LAW (was PBL6008S) (*Not on offer in 2013*)

HEQF credits: 30 at level 9

Higher postgraduate course, second semester. Offered in any year at the discretion of the Institute of Marine and Environmental Law.

Course co-ordinator(s): Professor A Paterson.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline:

1. Conventions and legislation on marine living resources (area regimes, species protection, method control, interstate questions, South African legislation).
2. Offshore oil and gas law (applicable law, licensing, offshore installations and pipelines, decommissioning).
3. Miscellaneous resources (wrecks and archaeological sites, the deep sea bed, marine diamonds).

DP requirements: Satisfactory attendance at and participation in lectures and tutorials, and completion of written assignments.

Assessment: One or more written assignments count for 40% and a written examination counts for 60% of the final grade.

PBL5611W POSTGRADUATE DIPLOMA IN LAW (PUBLIC LAW) RESEARCH PAPER (was PBL6011W)

HEQF credits: 60 at level 9

Course co-ordinator(s): Professor DM Chirwa.

Prerequisites: See Rules for Postgraduate Diplomas.

Course outline:

A Postgraduate Diploma in Law student must write a research paper on a subject of legal interest related to one of their courses. The subject of the research paper must also satisfy the rules applicable to the particular programme. The research paper may not exceed 12 500 words. Although an original contribution to knowledge is always desirable in a research paper, it is not an essential requirement. However, candidates must show that they have:

- knowledge of the subject chosen;
- mastered techniques required for research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

PBL5615F PRINCIPLES OF PUBLIC INTERNATIONAL LAW (was PBL6015F)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester.

Course co-ordinator(s): Professor TW Bennett.

Prerequisites: This course is especially offered to students who do not already have a suitable undergraduate or LLB qualification in Public International Law.

Course outline:

As an introduction to International law and a foundation for other courses in the master's programme, this course covers general principles and institutions in broad outline. The emphasis is on seminars and class discussion. The purpose of the course is to enable students to reflect critically upon legal concepts, their relationship to one another and their applicability in international relations.

1. Sources of International Law.
2. Application of International Law in municipal legal systems.
3. Subjects of International Law: the state, sovereignty and jurisdiction.
4. Objects of International Law: territory, land boundaries, air and maritime spaces, human beings and nationality.
5. Treaties.
6. Limitations on jurisdiction: sovereign and diplomatic immunity, treatment of aliens, self-determination, the protection of minorities and (in outline) human rights.
7. Torts and crimes.
8. State succession.

DP requirements: Satisfactory attendance at and participation in seminars.

Assessment: One three-hour examination in June counting 60% and a written assignment counting 40% of the final grade.

PBL5618S INTERNATIONAL LAW ON DISPUTES AND THE USE OF FORCE (was PBL6018S)

HEQF credits: 30 at level 9

Higher postgraduate course, second semester.

Course co-ordinator(s): Professor TW Bennett.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas. Although students will find PBL5615F Principles of Public International Law helpful, this preliminary course is not essential. Successful completion of a course in international law. The course convener may make an exception to this rule for students who show an adequate understanding of the principles of international law.

Course outline:

This course will examine the international laws regulating inter-state disputes, paying particular attention to the use of force and the role of international organisations.

1. Peaceful Settlement of International Disputes
 - (a) Self-help: retorsion, reprisals and pacific blockades
 - (b) Negotiations, inquiries, good offices, conciliation, mediation, arbitration
 - (c) Adjudication by the ICJ

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2. War and the Use of Force
 - (a) Historical overview of laws regulating the use of force, leading to the UN Charter
 - (b) Definition of key concepts: war, force, threat to the peace, breach of the peace, act of aggression
 - (c) Intervention in domestic conflicts
 - (d) Individual and collective self-defence and regional arrangements
3. United Nations
 - (a) Historical background, structure of the Organisation and its relationship with Member States
 - (b) Powers of the Security Council, General Assembly, Secretary General and ICJ
 - (c) Peace-keeping and peace enforcement
4. Application of International Humanitarian Law

Lectures: By arrangement.

DP requirements: None.

Assessment: Final written examination counts for 60% and written assignment for 40% of the final grade.

PBL5619F INTERNATIONAL ENVIRONMENTAL LAW (was PBL6019F)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester, two double lectures a week.

Course co-ordinator(s): Professor LA Feris and Ms M Lau.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline:

The course will cover the major sources of international environmental law, with particular emphasis on their actual or possible application to South Africa, the SADC and the African continent as a whole. The course will cover both terrestrial and marine components and will include:

- Principles of international customary law relevant to the environment.
- Marine conventions relating to the conservation and exploitation of natural and non-natural resources.
- Terrestrial conventions relating to trans-boundary movement and disposal of waste.
- Conventions on HNS and nuclear matters.
- Conventions relating to marine pollution, atmospheric pollution and climate change.
- Conventions relating to the conservation of nature, including biodiversity.
- Conventions on cultural heritage.

DP requirements: Satisfactory attendance at and participation in seminars and completion of written assignments.

Assessment: One (or more) written assignments account for 50% and the final examination 50% of the final grade.

PBL5622S LEGAL WRITING (was PBL6022S) (*Not on offer in 2013*)

HEQF credits: 30 at level 9

Higher postgraduate course, second semester.

Course co-ordinator(s): Professor MH Cheadle.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Objective: The object of the course is to improve the writing skills of lawyers. To be effective, law must be understood by its audience. There is always more than one audience – one legal and the other lay. There is a tendency to forget about the lay audience. If you are a private practitioner, that audience is your client. If you are a drafter of laws, that audience is the citizen. If you are a judge or arbitrator, your decision speaks to the litigants. The fundamental assumption underlying this course

is that legal documents can be written simply and clearly without loss of certainty. Indeed, the gains in clarity can make the text more legally certain.

Course outline:

The course will commence with an introduction to the modern developments in the drafting of laws and other legal documents. It will proceed to examine the basic rules for writing simply, accurately and in a gender-free way. It will examine the manner in which legal documents are organised and how they may be better organised in order to improve clarity and accessibility. The course will then concentrate on the drafting of legislation and the drafting of important legal documents such as contracts, constitutions, wills and trusts. The course will also investigate the use of the computer in developing templates and precedents. The main topics are:

- Modern comparative experience in drafting legal documents.
- Rules of interpretation.
- Organising the whole document – the perspective of the most likely reader.
- Organising the section or the paragraph.
- Basic mistakes made by lawyers and how to avoid them.
- Writing in a gender-neutral way.
- Drafting laws – statutes, regulations, bye laws, constitutions and rules.
- Drafting contracts.
- Drafting other types of legal documents.
- The use of the computer in drafting.

Lectures: Three hours weekly on a seminar basis, by arrangement.

DP requirements: Satisfactory attendance at and participation in lectures and seminar sessions.

Assessment: Five drafting exercises counting 10% each, with a drafting exercise and an examination counting 50%.

PBL5623F GOVERNING UNDER THE CONSTITUTION: LAW AND PRACTICE

(was PBL6023F)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester, one seminar per week.

Course co-ordinator(s): Professor P de Vos.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline:

South Africa's new Constitution sets out the rights of citizens and establishes a framework for democratic governance and local government. In developing these institutions, along with a multi-level system comprising national, provincial and local government, South Africa's constitutional designers were responding to the needs and aspirations of contemporary South Africa. But they, in light of this comparative experience, also had before them a rich array of alternatives from other countries. The central purpose of this course is to seek to understand the new framework for governance in South Africa.

Constitutions are complex mixtures of broad principles, and specific rules and institutions. Accordingly, we will be interested in two levels of analysis: first, what broad principles and values underpin the institutional framework, and how are these expressed in the institutions themselves? And, second, more practically, how do these institutions, and the interactions among them, actually work in shaping the process of policy-making and implementation? Thus we are interested in the values associated with democracy – participation, accountability, consensus, etc; and in those associated with what might be called 'effective governance', in light of the policy challenges which face the country.

The course will thus also provide you with an understanding of how government works with a focus on

- (i) the relationship between the executive and the legislature and what that means for lawyers and

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(ii) the relationship between national, provincial and local government.

Our study of multi-level government and the powers of each sphere of framework necessary for policy making and litigation in this area.

Lectures: By arrangement.

DP requirements: Satisfactory attendance at and participation in seminars and completion of written assignments.

Assessment: Written assignments count 30%, written examination counts 70% of the final grade.

PBL5624W MASTERS IN MARINE AND ENVIROMENTAL LAW DISSERTATION PART (was PBL6024W) (*Not on offer in 2013*)

HEQF credits: 120 at level 9

Course co-ordinator(s): Professor A Paterson.

Prerequisites: See Rules for LLM and MPhil Degrees.

Course outline:

A Master of Laws (LLM) or Master of Philosophy (MPhil) student must write a minor dissertation on a subject of legal interest related to one of their courses. The subject of the dissertation must also satisfy the rules applicable to the particular programme. The minor dissertation may not exceed 25 000 words in length. Although an original contribution to knowledge is always desirable in a minor dissertation, it is not an essential requirement. However, candidates must show that they have:

- a thorough knowledge of the subject chosen;
- mastered techniques required for competent research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

PBL5625W MASTERS IN CONSTITUTIONAL LAW DISSERTATION PART (was PBL6025W)

HEQF credits: 120 at level 9

Course co-ordinator(s): Professor HM Corder.

Prerequisites: See Rules for LLM and MPhil Degrees.

Course outline:

A Master of Laws (LLM) or Master of Philosophy (MPhil) student must write a minor dissertation on a subject of legal interest related to one of their courses. The subject of the dissertation must also satisfy the rules applicable to the particular programme. The minor dissertation may not exceed 25 000 words in length. Although an original contribution to knowledge is always desirable in a minor dissertation, it is not an essential requirement. However, candidates must show that they have:

- a thorough knowledge of the subject chosen;
- mastered techniques required for competent research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

PBL5626W MASTERS IN HUMAN RIGHTS LAW DISSERTATION PART (was PBL6026W)

HEQF credits: 120 at level 9

Course co-ordinator(s): Professor DM Chirwa.

Prerequisites: See Rules for LLM and MPhil Degrees.

Course outline:

A Master of Laws (LLM) or Master of Philosophy (MPhil) student must write a minor dissertation on a subject of legal interest related to one of their courses. The subject of the dissertation must also satisfy the rules applicable to the particular programme. The minor dissertation may not exceed 25 000 words in length. Although an original contribution to knowledge is always desirable in a minor dissertation, it is not an essential requirement. However, candidates must show that they have:

- a thorough knowledge of the subject chosen;
- mastered techniques required for competent research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

PBL5627W MASTERS IN INTERNATIONAL PUBLIC LAW DISSERTATION PART
(was PBL6027W)

HEQF credits: 120 at level 9

Course co-ordinator(s): Professor TW Bennett.

Prerequisites: See Rules for LLM and MPhil Degrees.

Course outline:

A Master of Laws (LLM) or Master of Philosophy (MPhil) student must write a minor dissertation on a subject of legal interest related to one of their courses. The subject of the dissertation must also satisfy the rules applicable to the particular programme. The minor dissertation may not exceed 25 000 words in length. Although an original contribution to knowledge is always desirable in a minor dissertation, it is not an essential requirement. However, candidates must show that they have:

- a thorough knowledge of the subject chosen;
- mastered techniques required for competent research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

PBL5628F INTERNATIONAL RIGHTS OF THE CHILD (was PBL6028F)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester, one three-hour seminar per week for 13 weeks.

Course co-ordinator(s): Professor DM Chirwa.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Objectives:

- (a) To examine critically the development, content and implementation of international and regional human rights laws on children with a focus on the African region;
- (b) To examine the effectiveness, equity and cultural sensitivity of the laws on children;
- (c) To consider national laws in light of international and regional human rights and to discuss strategies for raising children's rights standards at the national level in the African region.

Course outline:

The course covers the following issues:

- (a) theories of children's rights;
- (b) the international, regional and domestic protection of children's rights;
- (c) the relationship between different cultural traditions and the universal and regional values on children's rights;

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- (d) the concept of childhood;
- (e) key principles underpinning children's rights;
- (f) child poverty;
- (g) child justice;
- (h) the right to education;
- (i) the right to survival and development;
- (j) the right to protection from abuse, neglect, maltreatment and exploitation;
- (k) legal protections for child soldiers and civilians involved in armed conflicts and
- (l) the right to family care or alternative care.

Lectures: 3 hour seminars every week.

DP requirements: Attendance at all lectures.

Assessment: Written assignments count for 50% and written examination counts for 50% of the final grade.

PBL5630S MARINE POLLUTION LAW (was PBL6030S) (*Not on offer in 2013*)

HEQF credits: 30 at level 9

Higher postgraduate course, second semester. Offered in any year at the discretion of the Institute of Marine and Environmental Law.

Course co-ordinator(s): Professor A Paterson.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline:

The course examines the principles of international law that seek to protect the marine environment from pollution. It also considers the implementation of those principles in national law, with particular reference to South Africa.

Marine pollution arises from a wide variety of sources, including shipping, waste dumping, offshore development and land-based activities, and different legal mechanisms have been produced in response to these. The course explores the various administrative and regulatory regimes and the principles of civil and criminal liability for marine pollution. It covers the following topics:

- Pollution from ships;
- Dumping at sea;
- Pollution from sea-bed activities;
- Pollution from land-based sources;
- Atmospheric pollution;
- Protection of special areas.

DP requirements: Satisfactory attendance at and participation in lectures and tutorials, and completion of written assignments.

Assessment: One or more written assignments count for 40% and a written examination counts for 60% of the final grade.

PBL5631S INTERNATIONAL PROTECTION OF HUMAN RIGHTS (was PBL6031S)

HEQF credits: 30 at level 9

Higher postgraduate course, second semester, one three hour seminar a week.

Course co-ordinator(s): Professor DM Chirwa.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline:

The aim of the course is, on one hand, to provide a solid understanding of the international rules and principles that are aimed at protecting human rights, as well as the structures and methods that have been established to realise this protection. On the other hand, the course aims to encourage inquiry

into and discussion of the questions that arise within this context.

The course covers:

- (a) The jurisprudential and philosophical bases of human rights in international law.
- (b) The institutional context of international human rights: this section will cover the various institutions through which human rights are protected in the international community.
- (c) International human rights standards and standard setting.
- (d) The implementation of human rights standards.
- (e) Specific topics in international human rights law.

Lectures: To be arranged.

DP requirements: Satisfactory attendance at and participation in seminars and completion of written assignment.

Assessment: Seminar presentation counts 10%. Written assignment counts 30%. Written examination counts 60% of the final grade.

**PBL5632W POSTGRADUATE DIPLOMA IN LAW (ENVIRONMENTAL LAW)
RESEARCH PAPER (was PBL6032W)**

HEQF credits: 60 at level 9

Course co-ordinator(s): Professor A Paterson.

Prerequisites: See Rules for Postgraduate Diplomas.

Course outline:

A Postgraduate Diploma in Law student must write a research paper on a subject of legal interest related to one of their courses. The subject of the research paper must also satisfy the rules applicable to the particular programme. The research paper may not exceed 12 500 words. Although an original contribution to knowledge is always desirable in a research paper, it is not an essential requirement. However, candidates must show that they have:

- a knowledge of the subject chosen;
- mastered techniques required for research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

PBL5633S LITIGATING THE BILL OF RIGHTS (was PBL6033S)

HEQF credits: 30 at level 9

Higher postgraduate course, second semester.

Course co-ordinator(s): Professor MH Cheadle and Judge DM Davis.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline:

This course will explore approaches to constitutional litigation by way of disputes based upon the bill of rights (Chapter 2 of the Constitution). In particular the course will examine the way in which the three cornerstones of Chapter 2, the application provision (s8), the limitation clause (s36), and the approach to constitutional interpretation, shape the way in which constitutional cases are pleaded and argued.

The course will be run as a series of seminars in which each student will be expected to present a paper. These seminars will concentrate on three key areas and their implications for litigation. In each of the seminars, the use of comparative authority will be comprehensively examined.

Lectures: Three hours weekly, by arrangement.

DP requirements: Satisfactory attendance at and participation in lectures and seminar sessions.

Assessment: 50% by way of written assignment, and 50% by means of written examination.

The final examination may be conducted by way of a moot court, in which students will be expected

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to draft heads of argument and argue the case; or alternatively by way of written seminar paper and an oral examination.

PBL5634F HUMAN RIGHTS LAW (was PBL6034F)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester, two lecture periods per week.

Course co-ordinator(s): Associate Professor R Calland.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline:

The South African Bill of Rights expressly declares itself to be the 'cornerstone of democracy' and affirms the democratic ideals to which the post-apartheid society is committed. It represents a decisive break with the past and is a manifestly transformative document. The listed rights range from property rights to justifiable socio-economic rights; there are affirmative state duties to promote and protect rights; class actions and public interest litigation are permitted; and there is provision for 'horizontal' application of some of the rights. The courts have developed a significant body of case-law. The Constitutional Court has, for example, pronounced on issues as varied as the death penalty, housing and the provision of anti-retroviral drugs to HIV-positive pregnant women.

This course will provide students with an understanding of the South African Bill of Rights. It will consider in detail the jurisprudence of the Constitutional Court, and where appropriate, the Supreme Court of Appeal and international and comparative human rights law.

The course will begin with a discussion of judicial review and the success of human rights litigation. A general overview of the operational provisions of the Bill of Rights, including the provisions dealing with application, interpretation and limitation of rights, will follow. The focus here will be the extent to which the courts are developing a theory of deference which balances protection of rights with the principle of separation of powers. This part of the course will also consider the record of the courts in developing the common law in the light of the Bill of Rights.

A critical analysis of the jurisprudence of the courts on selected rights will follow. The focus will depend on the interests of the class, but core rights such as equality, dignity, freedom of expression and religion will be generally be considered. There will also be a discussion of the jurisprudence of the courts on socio-economic rights and the extent to which the inclusion of socio-economic rights in a Bill of Rights has influenced judicial rights discourse.

DP requirements: Satisfactory attendance at all lectures and participation in class seminars.

Assessment: Participation in seminars and written assignments count for 50% and the final examination counts for 50% of the final grade.

PBL5635S ADMINISTRATIVE JUSTICE (was PBL6035S)

HEQF credits: 30 at level 9

Higher postgraduate course, second semester, one seminar per week.

Course co-ordinator(s): Professor HM Corder.

Prerequisites: Competent academic and/or practical knowledge of South African and/or common-law based administrative law.

Course outline:

There is no doubt that the organisational complexity of a modern democratic state demands of its executive branch that it be sophisticated, efficient, open and accountable. Most of such administrative process must be based on discretionary power in the hands of public officials. The challenge is to fashion legal rights, duties and procedures so that the subject has remedies to confront the abuse of public power, while leaving the executive sufficient space to govern legitimately.

South African administrative law is relatively undeveloped when compared with similar legal systems, yet it faces greater demands than exist in most countries. This is particularly the case as the Constitution develops to accommodate changing political reality. This course intends to enable

students to become familiar with a responsive package of legal institutions and rules to regulate the administration. Current administrative law will be examined critically, with substantial reference to the way in which the law has developed in other jurisdictions, particularly in Europe and the British Commonwealth. The feasibility and form of constitutional protection of the right to administrative review and of alternative forums for achieving administrative justice (such as tribunals, ombuds and ADR) are two aspects which will receive some attention. While the course will be critical and forward-looking, it will naturally involve a detailed knowledge of current law and practice, equipping students to be practitioners in the forefront of developments in this field. Several guest lecturers will participate in teaching this subject.

Lectures: By arrangement, a three-hour seminar weekly.

DP requirements: Satisfactory attendance at and participation in seminars and completion of written assignments.

Assessment: An essay and an oral examination or second essay count for 40%; long paper or written examination counts for 60% of the final grade.

PBL5638S LAW, SCIENCE AND ETHICS (was PBL6038S) (Not on offer in 2013)

HEQF credits: 30 at level 9

Higher postgraduate course, second semester. A combination of weekly lectures and intense training totalling approximately 50 hours.

Course co-ordinator(s): Professor J Kinderlerer.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas. Students who have not studied Intellectual Property law at tertiary level or who do not have adequate work experience in Intellectual Property may be required to complete an introductory workshop course (6-8 hours over two Saturdays).

Objectives: The course will serve as a basis for ethical and legal analysis of new and unexpected developments in biotechnology and nanotechnology.

Course outline:

The course content is likely to include a consideration of:

- Research ethics
- Ethical work on patients
- Ethical standards for the use of biotechnology and nanotechnology in medicine and science
- International and national human rights law

DP requirements: Attendance at and participation in lectures. Completion of written assignment(s).

Assessment:

One (or more) written assignments	50%
Examination	50%

PBL5640F PRINCIPLES OF ENVIRONMENTAL LAW (was PBL6040F)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester.

Course co-ordinator(s): Professor A Paterson.

Lectures: Block teaching over 2 weeks and 11 weeks of correspondence study.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline: The health of planet earth, and accordingly the sustainability of human life on it, is facing significant challenges. One of the disciplines which have sought to fashion a framework for overcoming and governing these challenges is law. The result has seen the rapid emergence of international and regional instruments and domestic laws seeking to regulate the manner in which humans interact with their environment.

As South Africa has one of the world's most contemporary environmental legal regimes, it will be used as a case study throughout the above components. Given the all-pervasive nature of

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environmental law, the issues covered in this course are of relevance to all domestic legal practitioners, government officials and those working in the NGO sector. Furthermore, given the contemporary nature of South Africa's environmental regime, the course is of key relevance to foreign students wishing to understand, critique and become involved in the reformation of their own domestic environmental regimes.

DP requirements:

Satisfactory attendance at all lectures, participation on class seminars and submission of course assignment.

Assessment:

One research assignment counts for 40%; one or more written or oral assignments count for 10%; written examination counts for 50% of the final grade.

PBL5641F LAND USE PLANNING LAW (was PBL6041F)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester.

Course co-ordinator(s): Professor A Paterson.

Lectures: Block teaching over 2 weeks and 11 weeks of correspondence study.

Prerequisites: The student must have completed, or be simultaneously completing, Principles of Environmental Law or have the prior written consent of the course convener.

Course outline: One of the key ways to govern the impact of society on the environment is through regulating land-use and planning. Land use planning law came into being at the beginning of the twentieth century but environmental law was superimposed on it towards the end of the twentieth century. The past few decades have accordingly seen a significant shift in the array and nature of regulatory tools planning authorities have sought to use to achieve a balance between the dictates of development and environmental protection. Key planning tools which are inherent in domestic legal frameworks include: integrated development planning; future spatial planning; zoning schemes; subdivision; title deed restrictions; environmental impact assessment; the designation of protected areas; and in the context of coastal management, integrated coastal planning.

This course aims to critically examine the nature of these various planning tools. South Africa's domestic regime is used as a case study through which to explore their practical application. These land-use and planning tools are of relevance to every landowner and the course is accordingly of relevance to domestic legal practitioners, government officials and those working in the NGO sector. Furthermore, given the contemporary nature of South Africa's environmental impact assessment, coastal planning and protected areas regimes in particular, the course is of key relevance to foreign students wishing to understand, critique and become involved in the reformation of their own domestic land-use and planning regimes.

DP requirements:

Satisfactory attendance at all lectures, participation on class seminars and submission of course assignment.

Assessment:

One research assignment counts for 40%; one or more written or oral assignments count for 10%; written examination counts for 50% of the final grade.

PBL5642S NATURAL RESOURCES LAW (was PBL6042S)

HEQF credits: 30 at level 9

Higher postgraduate course, second semester.

Course co-ordinator(s): Professor L Feris.

Lectures: Block teaching over 2 weeks and 11 weeks of correspondence study.

Prerequisites: The student must have completed Principles of Environmental Law or have the prior written consent of the course convener.

Course outline: Planet earth provides society with a vast array of natural resources including: fresh water; air; marine living resources; soil; minerals; and biological resources. Human society is dependent on these natural resources for its very survival. Global consciousness and consensus is growing that we are depleting these natural resources on an inequitable and unsustainable basis. This course examines the domestic legal frameworks which have emerged to regulate the use and conservation of natural resources. These legal frameworks prescribe an array of tools including: institutional arrangements; planning schemes, permitting regimes; duties of care; incentive-based measures; civil liability measures; and criminal measures. South Africa has one of world's most contemporary legal regimes regulating natural resources and it will be used as a case study through which to critically explore the nature and application of these tools inherent in natural resource legislation. These tools have significant implications for those seeking to use and conserve natural resources and the course is accordingly of relevance to domestic legal practitioners, government officials and those working in the NGO sector. Furthermore, given the contemporary nature of South Africa's natural resource regime, the course is of key relevance to foreign students wishing to understand critique and become involved in the reformation of their own domestic natural resource regime.

DP requirements:

Satisfactory attendance at all lectures, participation on class seminars and submission of course assignment.

Assessment: One research assignment counts for 40%; one or more written or oral assignments count for 10%; written examination counts for 50% of the final grade.

PBL5643S POLLUTION LAW (was PBL6043S)

HEQF credits: 30 at level 9

Higher postgraduate course, second semester.

Course co-ordinator(s): Professor L Feris.

Lectures: Block teaching over 2 weeks and 11 weeks of correspondence study.

Prerequisites: The student must have completed Principles of Environmental Law or have the prior written consent of the course convener.

Course outline: Development and pollution appear to be inherently linked and the rapid economic growth which has taken place in the past few decades has led to an unprecedented increase in the rate of land, air and water pollution. Land fill sites are full to the brim, alternate sites are in short supply and developing nations have an increasing aversion to being the dumping ground for developed nations' waste. Atmospheric emissions are changing global climate conditions and impacting on the health and well being of the human population. Water pollution is compounding the water scarcity realities of many countries. It is therefore not surprising that many countries have recently reformed, or are currently reforming, their legal regimes governing land, air and water pollution.

This course examines the domestic legal frameworks which have emerged to regulate land, air and water pollution. These legal frameworks prescribe an array of tools including: institutional arrangements; planning schemes; pollution standards; permitting regimes; trading schemes; duties of care; emergency incident provisions; strict liability; statutory nuisances; rehabilitation orders; incentive-based measures; civil liability measures; and criminal measures. South Africa has one of world's most contemporary legal regimes regulating pollution and it will be used as a case study through which to critically explore the nature and application of these tools inherent in pollution legislation. These tools have significant implications for those seeking to pollute or curb pollution and the course is accordingly of relevance to domestic legal practitioners, government officials and those working in the NGO sector. Furthermore, given the contemporary nature of South Africa's pollution regime, the course is of key relevance to foreign students wishing to understand, critique and become involved in the reformation of their own domestic pollution regimes.

DP requirements:

Satisfactory attendance at all lectures, participation on class seminars and submission of course assignment.

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Assessment:

One research assignment counts for 40%; one or more written or oral assignments count for 10%; written examination counts for 50% of the final grade.

PBL5644F SEXUAL OFFENCES AND THE LAW (was PBL6044S)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester.

Course co-ordinator(s): Associate Professor D Smythe.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline: In 2007 a decade-long process of reforming South Africa's sexual offences laws culminated in the passage of the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007. At each stage of this process those involved in the law reform effort were forced to make strategic decisions about aspects of the proposed reforms. They asked hard questions about how useful specific reforms would be in achieving envisaged ends. Many of these questions remain: Why, for example, do we need a gender-neutral definition of rape? What difference does it make if consent is a defence or lack of consent an element of the crime? For answers to these difficult questions those involved in the process drew on experiences in the field, on the empirical data that they and others had generated in relation to victims, service providers, and criminal justice agencies, and on the comparative experiences of other jurisdictions with similar reforms enacted over the past 30 years.

Taking a multi-disciplinary approach, this course will track the process of rape law reform in South Africa, looking critically at what was included in the Act and what was omitted. It will move from broad questions about the utility of law in addressing sexual violence to a focused consideration of the interpretation and potential impact of key provisions. Issues to be covered in seminars include:

- Investigating and prosecuting rape
- Defining rape and issues of consent
- Harmful HIV-related sexual conduct
- Medico-legal and psycho-social issues
- Provision of PEP, treatment and counselling
- Special issues relating to the youthfulness of victims and offenders
- Vulnerable witnesses and protective measures
- Evidence and Procedure: caution, corroboration and delays, previous sexual history, character and disclosure of personal records
- Expert evidence
- Sentencing, treatment and supervision of offenders.

DP requirements: Satisfactory attendance at, and participation in, seminars and completion of written work.

Assessment: Coursework (30%) and a substantial research paper (70%).

PBL5647F SOCIAL JUSTICE, LAW AND POVERTY (was PBL6047F)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester, one seminar per week.

Course co-ordinator(s): Ms M von Broembsen.

Prerequisites: An LLB or Honours degree in selected Social Science disciplines. The Faculty reserves the right to limit classes to 15 students.

Course outline:

This inter-disciplinary course is about law in context, poverty alleviation being the main theme. The course examines and critiques different approaches to poverty alleviation, with particular emphasis on theories that have been translated by governments and global agencies into strategies. The course pays particular attention to how different conceptualisations of development, social justice and poverty lead to an emphasis on different institutional structures, different policies and different

outcomes. The course aims to equip students with various analytical lenses and to interrogate the historical and the potential role of law in pursuing social justice.

DP requirements: None.

Assessment:

Assignments	50%
Examination	50%

PBL5648S SOCIAL JUSTICE IN PRACTICE (was PBL6048S) (*Not on offer in 2013*)

HEQF credits: 30 at level 9

Higher postgraduate course, second semester. There will be weekly seminars or workshops and approximately 10 days of fieldwork, which are spread over the period of the course.

Course co-ordinator(s): Ms M von Broembsen.

Prerequisites: An LLB or Honours degree in selected Social Science disciplines. The Faculty reserves the right to limit classes to 15 students.

Course outline:

This course is concerned with social justice in practice. Our touchstone is the transformative vision embodied in the Constitution of South Africa, as we reflect on the interplay between rights, social mobilisation, advocacy and developmental strategies within a participatory democracy.

Using ‘Legal Empowerment of the Poor’ as a lens, the course reflects on notions of empowerment; how power (including our own) impacts on and shapes the practical outworking of social justice and at times results in unintended consequences.

The main focus of the seminars is on practical strategies intended to facilitate social justice. Students will study the theory in each area and undertake selected site visits to projects that reflect best practice. Students are assigned to work with a civil society organization for the duration of the course. Each student will be required to spend 32 hours with the organisation, spread over the period of the course. The course concludes with the design and implementation of a small-scale development intervention by the student, in conjunction with the civil society partner.

DP requirements: None.

Assessment:

Participation and class assignments	50%
Practical project instead of written exam	50%

Students are required to pass the practical project in order to pass the course.

PBL5649W MASTERS IN SOCIAL JUSTICE DISSERTATION PART (was PBL6049W) (*Not on offer in 2013*)

HEQF credits: 120 at level 9

Course co-ordinator(s): Ms M von Broembsen.

Prerequisites: See Rules for LLM and MPhil Degrees.

Course outline:

A Master of Laws (LLM) or Master of Philosophy (MPhil) student must write a minor dissertation on a subject of legal interest related to one of their courses. The subject of the dissertation must also satisfy the rules applicable to the particular programme. The minor dissertation may not exceed 25 000 words in length. Although an original contribution to knowledge is always desirable in a minor dissertation, it is not an essential requirement. However, candidates must show that they have:

- a thorough knowledge of the subject chosen;
- mastered techniques required for competent research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

PBL5650W POSTGRADUATE DIPLOMA IN LAW (SOCIAL JUSTICE) RESEARCH PAPER (was PBL6050W) (*Not on offer in 2013*)

HEQF credits: 60 at level 9

Course co-ordinator(s): Ms M von Broembsen.

Prerequisites: See Rules for Postgraduate Diplomas.

Course outline:

A Postgraduate Diploma in Law student must write a research paper on a subject of legal interest related to one of their courses. The subject of the research paper must also satisfy the rules applicable to the particular programme. The research paper may not exceed 12 500 words. Although an original contribution to knowledge is always desirable in a research paper, it is not an essential requirement. However, candidates must show that they have:

- knowledge of the subject chosen;
- mastered techniques required for research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

PBL5651S INTERNATIONAL PROTECTION OF WOMEN'S HUMAN RIGHTS (was PBL6051S)

HEQF credits: 30 at level 9

Higher postgraduate course, second semester. There will be one 3-hour seminar per week by arrangement.

Course co-ordinator(s): Associate Professor R Manjoo.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline: The course examines the development, content and implementation of international and regional laws that seek to promote and protect women's human rights.

Specific topics will include, amongst others:

1. Theoretical underpinnings of women's human rights
2. International and regional protection of women's human rights
3. Domestication of women's human rights
4. Current concerns and topical issues in women's rights including: violence against women; trafficking; sexual and reproductive rights; impact of culture, religion and tradition on women; the girl child etc.

DP requirements: None.

Assessment:

Written assignment and seminar presentation	40%
Research paper	60%

PBL5652S MUSLIM PERSONAL LAW AND HUMAN RIGHTS (was PBL6052S) (*Not on offer in 2013*)

HEQF credits: 30 at level 9

Higher postgraduate course, second semester. One 3-hour seminar per week.

Course co-ordinator(s): Dr W Amien and Professor A Tayob.

Prerequisites: For LLM: LLB; for MSocSc: Honours in BSocSc; for MA: Honours in Arts.

Course outline:

This course is designed to enable law graduates, post-graduate students in Humanities and legal practitioners to acquire the necessary foundation skills to specialise in Muslim Personal Law and Human Rights for the purpose of practice and/or to pursue doctoral studies in the area of Muslim Personal Law and Human Rights. The course focuses on the following topics:

1. Religious and moral underpinnings of Islamic Law and Muslim Personal Law
2. Models of recognition of Muslim Personal Law
3. Interface between Muslim Personal Law and Human Rights – domestic and international perspectives
4. Selected human rights issues relating to the following aspects of Muslim Personal Law:
Marriage
Divorce
Inheritance
5. Reform of Muslim Personal Law
6. Comparative perspectives

DP requirements: None.

Assessment:

Seminar presentations	25%
Written assignments	25%
Long paper	50%

PBL5653F REFUGEE LAW AND HUMAN RIGHTS (was PBL6053F)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester.

Course co-ordinator(s): Ms F Khan.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline:

Part 1 of the course will set out the origins, developments and established principles of refugee rights in international human rights law. Through this discussion students will acquire a thorough understanding of the 1951 UN Convention relating to the status of refugees and certain regional instruments, in particular the OAU Convention, and the South African Refugees Act.

Part 2 will focus on the regime of rights protected by the various instruments. Through a series of seminars students will undertake an analysis of the substance of specific rights (Please note that the rights under discussion will change from year to year).

Part 3 will conclude the course by focusing on contemporary issues in refugee law. Under discussion in 2011 will be environmental and refugees and Zimbabwean migrants.

Lectures: Three hour weekly seminars, by arrangement.

DP requirements: Satisfactory attendance at, and participation in, lectures and seminar sessions.

Assessment:

Written assignment	50%
Examination	50%

PBL5654W MASTERS IN ENVIROMENTAL LAW DISSERTATION PART

(was PBL6054W)

HEQF credits: 120 at level 9

Course co-ordinator(s): Professor A Paterson.

Prerequisites: See Rules for LLM and MPhil Degrees.

Course outline:

A Master of Laws (LLM) or Master of Philosophy (MPhil) student must write a minor dissertation on a subject of legal interest related to one of their courses. The subject of the dissertation must also satisfy the rules applicable to the particular programme. The minor dissertation may not exceed

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25 000 words in length. Although an original contribution to knowledge is always desirable in a minor dissertation, it is not an essential requirement. However, candidates must show that they have:

- a thorough knowledge of the subject chosen;
- mastered techniques required for competent research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

PBL5655W POSTGRADUATE DIPLOMA IN LAW (CONSTITUTIONAL AND ADMINISTRATIVE LAW) RESEARCH PAPER (was PBL6055W)

HEQF credits: 60 at level 9

Course co-ordinator(s): Professor HW Corder.

Prerequisites: See Rules for Postgraduate Diplomas.

Course outline:

A Postgraduate Diploma in Law student must write a research paper on a subject of legal interest related to one of their courses. The subject of the research paper must also satisfy the rules applicable to the particular programme. The research paper may not exceed 12 500 words. Although an original contribution to knowledge is always desirable in a research paper, it is not an essential requirement. However, candidates must show that they have:

- knowledge of the subject chosen;
- mastered techniques required for research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

PBL5656W POSTGRADUATE DIPLOMA IN LAW (INTERNATIONAL LAW) RESEARCH PAPER (was PBL6056W)

HEQF credits: 60 at level 9

Course co-ordinator(s): Professor TW Bennett.

Prerequisites: See Rules for Postgraduate Diplomas.

Course outline:

A Postgraduate Diploma in Law student must write a research paper on a subject of legal interest related to one of their courses. The subject of the research paper must also satisfy the rules applicable to the particular programme. The research paper may not exceed 12 500 words. Although an original contribution to knowledge is always desirable in a research paper, it is not an essential requirement. However, candidates must show that they have:

- knowledge of the subject chosen;
- mastered techniques required for research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

PBL5657W POSTGRADUATE DIPLOMA IN LAW (MARINE AND ENVIRONMENTAL LAW) RESEARCH PAPER (was PBL6057W)

(Not on offer in 2013)

HEQF credits: 60 at level 9

Course co-ordinator(s): Professor A Paterson.

Prerequisites: See Rules for Postgraduate Diplomas.

Course outline:

A Postgraduate Diploma in Law student must write a research paper on a subject of legal interest related to one of their courses. The subject of the research paper must also satisfy the rules applicable to the particular programme. The research paper may not exceed 12 500 words. Although an original contribution to knowledge is always desirable in a research paper, it is not an essential requirement. However, candidates must show that they have:

- knowledge of the subject chosen;
- mastered techniques required for research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

PBL5802W MASTERS IN CRIMINAL JUSTICE DISSERTATION PART
(was PBL6802W)

HEQF credits: 120 at level 9

Course co-ordinator(s): Professor J Burchell.

Prerequisites: See Rules for LLM and MPhil Degrees.

Course outline:

A Master of Laws (LLM) or Master of Philosophy (MPhil) student must write a minor dissertation on a subject of legal interest related to one of their courses. The subject of the dissertation must also satisfy the rules applicable to the particular programme. The minor dissertation may not exceed 25 000 words in length. Although an original contribution to knowledge is always desirable in a minor dissertation, it is not an essential requirement. However, candidates must show that they have:

- a thorough knowledge of the subject chosen;
- mastered techniques required for competent research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

PBL5804W POSTGRADUATE DIPLOMA IN LAW (CRIMINAL JUSTICE)
RESEARCH PAPER (was PBL6804W)

HEQF credits: 60 at level 9

Course co-ordinator(s): Professor J Burchell.

Prerequisites: See Rules for Postgraduate Diplomas.

Course outline:

A Postgraduate Diploma in Law student must write a research paper on a subject of legal interest related to one of their courses. The subject of the research paper must also satisfy the rules applicable to the particular programme. The research paper may not exceed 12 500 words. Although an original contribution to knowledge is always desirable in a research paper, it is not an essential requirement. However, candidates must show that they have:

- knowledge of the subject chosen;
- mastered techniques required for research in law;
- the capacity for independent thought and sound reasoning; and
- satisfactorily presented the results of the research.

DP requirements: None.

Assessment: 100% written work.

PBL5807S INTERNATIONAL CRIMINAL LAW (was PBL6807S)

HEQF credits: 30 at level 9

Higher postgraduate course, second semester.

Course co-ordinator(s): Ms H Woolaver.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas. Successful completion of courses in public international law, and substantive criminal law from any legal tradition. The course co-ordinator may make exceptions to this rule for students who demonstrate sufficient understanding of the principles of international law and criminal law.

Course outline: This course provides an introduction to specialist studies in international criminal law, that is, the body of law regulating individual criminal responsibility under international law. The course covers the history and development of international criminal law and the establishment, jurisdiction and activities of the International Criminal Court, international and internationalised criminal tribunals. Attention is given to the material, mental and contextual elements of the three 'core crimes' - genocide, crimes against humanity and war crimes - as well as the legal requirements of relevant modes of liability, general principles of international criminal law, procedure, complementarity and cooperation in international criminal matters and selected conceptual and institutional critiques of the international criminal justice 'project'. To benefit from this course, students will require a background in either international or criminal law, and are expected to participate fully in seminars and to read, understand and critically assess intrinsically complex and lengthy source materials.

DP requirements: None.

Assessment: Quizzes and essay(s).

PBL5815F PUNISHMENT AND HUMAN RIGHTS (was PBL6815S)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester.

Course co-ordinator(s): Ms K Phelps.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline:

This course aims to provide students with a sound theoretical understanding both of the justifications of punishment and human rights constraints in the context of sentencing. Students then apply this understanding to practical examples in order to assess how/ if the theory translates into practice. In so doing it is hoped to transcend a common-sense approach to sentencing and punishment and to build firm opinions/ approaches based on acquired knowledge.

The course is divided into four broad sections. The first section introduces the class to the various philosophical justifications that have historically been provided for sentencing. A brief introduction is also provided to the relationship between human rights law and penal sanctions. The second section explores in detail the current justifications for punishment/ purposes of the correctional system. In so doing, issues such as deterrence, incapacitation, rehabilitation, restoration, retribution and just deserts will be explored. Section three deals with constraints placed on sentencing in South Africa by human rights norms contained in the Bill of Rights and international law. The final section of the course places the preceding theoretical/ philosophical discussions into a practical context by dealing with current and future sentencing practice in South Africa. Modes of implementing punishment (prison, community sanctions) and special stakeholders in punishment (minority groups, children) will also be considered.

DP requirements: 80% attendance at, and satisfactory participation in, seminars and the completion of the research papers and oral presentation.

Assessment: The presentation of at least one seminar and two research papers. Marks given for the seminars and research papers comprise the entire mark for the course.

PBL5820F THEORIES OF CRIME AND SOCIAL ORDER (was PBL6820F)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester.

Course co-ordinator(s): Professors C Shearing and E van der Spuy.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline:

The course is intended to provide an understanding of the theoretical ideas that have shaped and are shaping criminal justice policy and the way in which both implicit and explicit policy agendas are realized in practice. The course will explore the history of criminological theory on understandings of crime and social order. The course considers the thinking of seminal criminological theorists; schools of thought and emblematic exemplars of each will be explored. The course will be presented through a series of seminars/lectures.

DP requirements: Satisfactory attendance at seminars and completion of written assignments.

Assessment:

Assessment will be by two written assignments: 1) Three reading diaries in which participants will review and react to the readings (45%) of 2000 words. 2) A final paper of 5000 words in which participants explore and seek to advance selected theoretical ideas (55%).

PBL5822S VICTIMS AND VICTIMOLOGY: THEORY, POLICY AND PRACTICE

(was PBL6822S) (*Not on offer in 2013*)

HEQF credits: 30 at level 9

Higher postgraduate course, second semester.

Course co-ordinator(s): Professor E van der Spuy.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Honours degree in Humanities or LLB.

Course outline:

Over the past four decades victims of crime have become a constituency of considerable importance in criminological debates, in the development of crime policies and in criminal justice practices.

Within the scope of this course we:

- Track the development of victimology as an area of criminological enquiry;
- Discuss the theoretical perspectives, the crime policies and criminal justice practices associated with victim studies;
- Consider the methodology tools which assist in developing risk profiles;
- Engage with the controversies to which victim-centered justice systems have given rise, and
- Examine the impact of political processes of truth seeking and reconciliation in the aftermath of conflict on a victim-centred approach to justice.

DP requirements: Satisfactory attendance at seminars and completion of written assignments.

Assessment:

Written assignments	60%
Take-home examination	40%

PBL5844S POLICE AND POLICING: EXPLORATIONS IN SECURITY GOVERNANCE (was PBL6844F)

HEQF credits: 30 at level 9

Higher postgraduate course, second semester.

Course co-ordinator(s): Ms J Berg.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline:

This course is intended to develop academic and professional expertise in the governance of security

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and provides a critical understanding of trends in the governance of security through the window of police and policing. Thus, it explores both what trends in governance can tell us about policing and what policing can tell us about developments in governance. Two key foci of the course are the way in which security has been constructed as an object of regulatory concern and the way in which the domain of security has been and is being expanded via notions such as human security. Theoretical themes include: mentalities, institutional arrangements, technologies and practices of governance as well as various 'faces' of state and plural governance. This course also examines the relationship between security governance in Africa (particularly South Africa) and global trends. The course is presented through a series of digital seminars.

DP requirements: Satisfactory attendance at seminars and completion of assignments.

Assessment: Two review papers of 2 500 words (40%) and a policy paper 5 000 words (60%). This will comprise the entire mark for the course.

RDL5615F BIOTECHNOLOGY AND INTELLECTUAL PROPERTY LAW

(was RDL6015F) (*Not on offer in 2013*)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester. One double lecture (3 hours) per week or two intense weeks training, or a combination of weekly lectures and intense training.

Course co-ordinator(s): Professor J Kinderlerer.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas. Students who have not studied Intellectual Property law at tertiary level or who do not have adequate work experience in Intellectual Property may be required to complete an introductory workshop course (6-8 hours over two Saturdays).

Objectives: The course will trace the development of Intellectual Property Law in relation to biotechnology and nanotechnology, and will explore the impact of international agreements, such as the WTO Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS), on national, regional and comparative law.

Course outline: The course will, broadly, consider the following:

An introduction to biotechnology and nanotechnology techniques

- The use of IP law to protect innovation
- Relevant instruments of international, regional and national IP law
- Issues of concern, such as biodiversity, traditional knowledge and access to medicines
- Transfer of technology
- Access and benefit sharing

DP requirements: Attendance at and participation in lectures. Completion of written assignment(s).

Assessment:

Essays and immersion assignment	50%
Examination	50%

RDL5616F LEGAL PLURALISM: WITH SPECIAL REFERENCE TO AFRICA

(was RDL6016S)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester.

Course co-ordinator(s): Professor TW Bennett.

Prerequisites: Competency in written and spoken English together with sound knowledge of the general principles of law.

Lectures: Two double lectures per week.

Objective: To promote knowledge of legal pluralism and to stimulate academic debate, critical thinking and possible advocacy of certain of the more controversial areas, as well as those that may be affected by reforms in systems of customary law.

Course outline:

Through a combination of lectures and seminars, and a detailed analysis of a leading judgment of the South African Constitutional Court (*Bhe v Magistrate of Khayelitsha*), the concept of customary law; conflict of laws; human rights and cultural relativism; modes of dispute resolution; succession and inheritance; the formation, consequences and dissolution of customary marriages; customary concepts of property; history and theory of legal pluralism.

DP requirements: Satisfactory attendance at and participation in lectures.

Assessment: An assignment counting 40% and an examination in May/June counting 60% of the final grade.

RDL5620S ADVANCED CONTRACT LAW (was RDL6020S)

HEQF credits: 30 at level 9

Higher postgraduate course, second semester.

Course co-ordinator(s): Professors DB Hutchison and T Naudé.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas. Competent academic and/or practical knowledge of South African Contract Law.

Course outline:

This is an advanced course which focuses on aspects of Contract Law. Topics to be covered will be prescribed from year to year and will be chosen from the following, amongst others:

- Pre-contractual liability
- Standard contract terms: requirements for incorporation, including the treatment of the ‘battle of the forms’
- Options and rights of pre-emption, including put options and call options
- Mistake
- Good faith and fairness in Contract Law (including control mechanisms of unfair contract terms under the common law, the Constitution and the Consumer Protection Act)
- Non-variation clauses and the availability of the defences of estoppel and waiver in this context
- Restraints of trade
- Impact of the Consumer Protection Act on other aspects of Contract Law, including the residual rights of the buyer of goods and services
- Remedies for breach of contract, including termination and the assessment of damages
- Supervening impossibility of performance and hardship
- Change of circumstances or hardship falling short of impossibility
- Aspects of the law of cession (cession of future rights, security cessions).

DP requirements: None.

Assessment:

One research paper of 10 000 words

100%

RDL5623F HUMAN RIGHTS AND AFRICAN CUSTOMARY LAW (was RDL6023F) (Not on offer in 2013)

HEQF credits: 30 at level 9

Higher postgraduate course, first semester.

Course co-ordinator(s): Professor C Himonga.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline: The course will focus on international human rights that impact private relations within the family under customary law and reformed aspects of this system of law and against the backdrop of legal pluralism. The private relations concerned cover the areas of succession and inheritance; marriage and divorce and their respective consequences. While much of the course will concentrate on South African law, a significant part of it will be comparative, focusing on selected African legal systems.

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DP requirements: Satisfactory attendance at and participation in lectures and seminars, and completion of written assignments.

Assessment:

Written assignments	40%
Examination	60%

RDL5624F HUMAN RIGHTS AND PRIVATE LAW

HEQF credits: 30 at level 9

Higher postgraduate course, first semester.

Course co-ordinator(s): Professor AJ Barnard-Naudé and Dr AM Price.

Prerequisites: See Rules for LLM and MPhil Degrees and Postgraduate Diplomas.

Course outline:

The relationship between human rights and private law is becoming increasingly important in many jurisdictions, and continues to generate controversy in South Africa. This course aims to enhance participants' understanding of the relationship between human and constitutional rights, on the one hand, and core areas of South African private law, on the other, including the law of property, contract and delict. It is envisaged that this relationship will be exploited from a theoretical, historical and comparative perspective.

DP requirements: None.

Assessment:

Assessment will take place in two stages: a seminar presentation (which will count 30% of the final mark for the course) and a research paper (on a topic to be approved by the course conveners) in length no shorter than 8 000 words (which will count the remaining 70% of the final mark for the course).

RULES FOR RESEARCH DEGREES

Master of Laws (LLM) by Dissertation

Admission:

FMD1 A person may be considered for admission as a candidate for the degree of Master of Laws if –

1. S/he has a law degree of the University or an equivalent degree of another University recognised by the Senate for this purpose; or
2. S/he has in any other manner attained a level of competence which in the opinion of Senate, on the recommendation of the Faculty of Law, is adequate for the purposes of admission as a candidate for the degree.

NOTE: Returning candidates must renew their registration not later than the last Friday in February every year. A late penalty fee is charged for registration after that date.

Obtaining the degree:

FMD2 Under the guidance of a supervisor appointed by Senate a candidate must undertake research at an advanced level for the purpose of writing a dissertation.

Examination:

FMD3 The examination consists of –

1. a dissertation on a subject of legal interest approved by Senate; or
2. a series of (four) short dissertations on cognate areas of the law, approved by Senate.

Dates for submission:

FMD4.1 When candidates intend to submit their dissertations for examination with a view to the degree being awarded at either the June or December graduation ceremonies, they must inform the Registrar in writing by no later than 1 February or 20 June, as the case may be.

FMD4.2 The final dates for submitting dissertations to the Registrar are 1 March or 15 August, respectively.

Written or oral examinations:

FMD5 A candidate may be required to undergo a written or oral examination on the subject matter of any dissertation.

Part-time students:

FMD6 A part-time student must be registered for a minimum of two academic years.

The dissertation:

FMD7 Dissertations may not exceed 40 000 words in length; they must be satisfactorily structured and formatted and they must be typewritten or printed. A candidate must submit five copies (in temporary bindings), together with five copies of a brief summary of the contents of the argument.

Publication:

FMD8 Without the prior permission of the University, no publication flowing from the dissertation may contain a statement that it was or is to be submitted in part or in full for the degree.

Distinction:

FMD9 The degree may be awarded with distinction.

NOTE: Initial application for registration for this degree should be accompanied by a research proposal set out according to the guidelines determined by the Faculty Higher Degrees Committee. These guidelines are obtainable from the Faculty Office. Before registration candidates may be required to undertake further work of a preparatory nature.

Master of Philosophy (MPhil) by Dissertation

Admission:

- FMP1 A person may be considered as a candidate for the degree of Master of Philosophy if
- (i) S/he has at least a law degree or an Honours degree from the University, or an equivalent degree from another University recognised by Senate for this purpose; or
 - (ii) S/he has in any other manner attained a level of competence which, in the opinion of Senate, on recommendation by the Faculty of Law, is adequate for purposes of admission as a candidate for the degree.

NOTE: Returning candidates must renew their registration not later than the last Friday in February every year. A late penalty fee is charged for registration after that date.

Obtaining the degree:

FMP2 Under the guidance of the supervisor appointed by Senate a candidate must undertake research at an advanced level for the purpose of writing a dissertation.

Examination:

FMP3 The examination consists of a dissertation or a series of short dissertations on cognate topics, on a subject of inter-faculty interest.

The topic:

FMP4 Although the dissertation must have a law component, it also must be on a subject of inter-faculty interest.

Rules FMD4 to FMD9 apply also to candidates for the MPhil degree.

Doctor of Laws (LLD)

NOTE: Until 2004 different rules applied to the award of this doctorate.

FD1 The Degree of Doctor of Laws may be obtained for a substantial body of work that has already been published. Such work must constitute an original contribution to, or an important advance on, knowledge in the subject. This degree is the senior doctorate in the Faculty of Law. It is awarded rarely, as a mark of respect, normally only for work undertaken over a period of many years which has established the applicant as the leading authority in his or her field.

FD2 The rules for the degree of Doctor of Philosophy, other than the admission rules, and the rule regulating the standing required prior to admission, apply mutatis mutandis.

Application for admission:

FD3 Application for the LLD degree is governed by procedures set out by the Doctoral Degrees Board of the University in a document entitled *Procedures for the Administration of the LLD by Published Work*.

NOTE: A copy of these procedures is obtainable from the Faculty Office. They include the following rules:

- (i) the candidate must provide copies of the body of work, as specified by the Higher Degrees Committee,
- (ii) a preliminary screening procedure must be undertaken by a Committee of Assessors, appointed by the Doctoral Degrees Board, to consider whether the work is of the standard and maturity required for this senior Doctorate, and
- (iii) registration and examination will take place only when the Doctoral Degrees Board has accepted the application, and only after receiving the opinion of the Committee of Assessors.

Requirements for award of the degree:

FD4.1 A candidate must submit published work in an area of law which must constitute a substantial, original and important contribution to the current body of scholarship. The candidate may submit other published and unpublished work as collateral testimony of fitness for the degree.

FD4.2 No work will be accepted which has been accepted by this or any other University for the purpose of obtaining a degree.

FD4.3 The examination will consist primarily of an assessment of the published work, but, if required by Senate, candidates must present themselves for an additional written or oral examination on the subject of the work presented.

Doctor of Philosophy (PhD)

The general rules of the University for the PhD apply, ie, there are no specific rules for the Faculty of Law.

COURSE OUTLINES (RESEARCH DEGREES)

Rules for Research degrees are set out in the section Rules for research degrees.

These degrees are offered as follows:

Master of Laws (LLM) by Dissertation

Master of Philosophy (MPhil) by Dissertation

Doctor of Laws (LLD)

Doctor of Philosophy (PhD)

CML5600W MASTERS IN COMMERCIAL LAW (was CML6000W)

HEQF credits: 240 at level 9

Fifth year status, whole year.

Course co-ordinator: A supervisor appointed by Senate.

Entrance requirements: Acceptance for a Master's programme in Law.

Course outline:

Under the guidance of a supervisor appointed by Senate, a candidate must undertake research at an advanced level on a subject of legal interest approved by Senate, for the purpose of writing a dissertation. Dissertations, not exceeding 40 000 words in length, must constitute a contribution to knowledge and should demonstrate a mastery of the methods of research.

DP requirements: None.

Assessment: 100% written work.

CML6700W PhD IN COMMERCIAL LAW (was CML7000W)

HEQF credits: 360 at level 10

Sixth year status, whole year.

Course co-ordinator: A supervisor appointed by Senate.

Entrance requirements: Acceptance to a PhD programme.

Course outline:

A PhD thesis must represent an original contribution to, or substantial advance on, knowledge in the field. The thesis may not be more than 80 000 words. A candidate will undertake research, and such advanced study as may be required, under the guidance of a supervisor appointed by Senate.

DP requirements: None.

Assessment: 100% written work.

PBL5600W MASTERS IN PUBLIC LAW (was PBL6000W)

HEQF credits: 240 at level 9

Fifth year status, whole year.

Course co-ordinator: A supervisor appointed by Senate.

Entrance requirements: Acceptance for a Master's programme in Law.

Course outline:

Under the guidance of a supervisor appointed by Senate, a candidate must undertake research at an advanced level on a subject of legal interest approved by Senate, for the purpose of writing a dissertation. Dissertations, not exceeding 40 000 words in length, must constitute a contribution to knowledge and should demonstrate a mastery of the methods of research.

DP requirements: None.

Assessment: 100% written work.

PBL5800W MASTERS IN CRIMINOLOGY (was PBL6800W)

HEQF credit: 240 at level 9

Fifth year status, whole year.

Course co-ordinator: A supervisor appointed by Senate.

Entrance requirements: Acceptance for a Master's programme in Law.

Course outline:

Under the guidance of a supervisor appointed by Senate, a candidate must undertake research at an advanced level on a subject of legal interest approved by Senate, for the purpose of writing a dissertation. Dissertations, not exceeding 40 000 words in length, must constitute a contribution to knowledge and should demonstrate a mastery of the methods of research.

DP requirements: None.

Assessment: 100% written work.

PBL5809W MASTERS IN CRIMINAL JUSTICE (was PBL6809W)

HEQF credits: 240 at level 9

Fifth year status, whole year.

Course co-ordinator: A supervisor appointed by Senate.

Entrance requirements: Acceptance for a Master's programme in Law.

Course outline:

Under the guidance of a supervisor appointed by Senate, a candidate must undertake research at an advanced level on a subject of legal interest approved by Senate, for the purpose of writing a dissertation. Dissertations, not exceeding 40 000 words in length, must constitute a contribution to knowledge and should demonstrate a mastery of the methods of research.

DP requirements: None.

Assessment: 100% written work.

PBL6700W PhD IN PUBLIC LAW (was PBL7000W)

HEQF credits: 360 at level 10

Sixth year status, whole year.

Course co-ordinator: A supervisor appointed by Senate.

Entrance requirements: Acceptance to a PhD programme.

Course outline:

A PhD thesis must represent an original contribution to, or substantial advance on, knowledge in the field. The thesis may not be more than 80 000 words. A candidate will undertake research, and such advanced study as may be required, under the guidance of a supervision by supervisor appointed by Senate.

DP requirements: None.

Assessment: 100% written work.

RDL5606W MASTERS IN PRIVATE LAW (was RDL6006W)

HEQF credit: 240 at level 9

Fifth year status, whole year.

Course co-ordinator: A supervisor appointed by Senate.

Entrance requirements: Acceptance for a Master's programme in Law.

Course outline:

Under the guidance of a supervisor appointed by Senate, a candidate must undertake research at an advanced level on a subject of legal interest approved by Senate, for the purpose of writing a dissertation. Dissertations, not exceeding 40 000 words in length, must constitute a contribution to knowledge and should demonstrate a mastery of the methods of research.

DP requirements: None.

Assessment: 100% written work.

RDL6700W PhD IN PRIVATE LAW (was RDL7003W)

HEQF credits: 360 at level 10

Sixth year status, whole year.

Course co-ordinator: A supervisor appointed by Senate.

Entrance requirements: Acceptance to a PhD programme.

Course outline:

A PhD thesis must represent an original contribution to, or substantial advance on, knowledge in the field. The thesis may not be more than 80 000 words. A candidate will undertake research, and such advanced study as may be required, under the guidance of a supervision by supervisor appointed by Senate.

DP requirements: None.

Assessment: 100% written work.

EXCHANGE, INTERNATIONAL AND SEMESTER STUDY ABROAD STUDENTS

Exchange adviser: Professor A Paterson.

Definitions

Exchange Student:

A student from an overseas tertiary institution with which UCT has entered into an Exchange Agreement (either a university wide agreement which may be administered by the International Academic Programmes Office (IAPO) or a Faculty wide agreement concluded with the Faculty of Law and which is administered by the Faculty Office) in terms of which one or more students from the overseas institution register at UCT for one or more semesters (depending on the terms of the exchange agreement) usually subject to a fee waiver arrangement. The overseas institution with which UCT has concluded an exchange agreement will usually nominate students to take up an exchange place at UCT. Once nominated by the home institution and once the UCT Faculty Office is advised of such nomination, exchange students must comply with the procedures for applying to study at UCT and may contact the Faculty Office for more information in this regard. Contact your university Exchange Co-ordinator for more information on whether or not your institution has an exchange agreement with UCT and for the nomination procedures of your institution. Also see the website <http://www.uct.ac.za/about/iapo/overview/welcome/> or email int-iapo@uct.ac.za for more information on the orientation programme offered by IAPO, for information on accommodation and for general information pertaining to studying at UCT.

Semester Study Abroad (SSA) Student:

A student from an overseas tertiary institution who registers at UCT for one or more semesters, paying full tuition fees. See website <http://www.uct.ac.za/about/iapo/overview/welcome/> or email int-iapo@uct.ac.za for more information on application and other procedures for studying at UCT. See further information below on the courses which semester study abroad students are eligible to take.

Semester:

This refers to the study periods at UCT, which comprise a first term (usually from mid-February to mid-June) and a second term (usually from end July to mid-December). UCT also has Summer and Winter Terms respectively which fall over the university student vacation. Each term (or semester) can be divided into two quarters. For more information visit the website <http://www.uct.ac.za> - select Calendars and Events and then Terms.

Undergraduate Student:

A student who does not yet hold a law degree (or a non-law general degree) from a tertiary institution. Students who are already in possession of a degree from a tertiary institution, and who are attending law school, but yet have to be awarded a law degree are still regarded as undergraduate students for the purpose of study at UCT.

Postgraduate Student:

A student who is already in possession of a law (or non-law) degree from a tertiary institution.

IAPO:

The International Academic Programmes Office through whom semester study abroad students must apply for admission to UCT. IAPO arranges an orientation programme for semester study abroad and exchange students and also provides further information on accommodation and general information pertaining to study at UCT. See the website <http://world.uct.ac.za> or email iapo@world.uct.ac.za for more information.

Faculty of Law:

The Faculty of Law is one of 6 faculties into which UCT is divided and these 6 faculties in turn consist of approximately 60 departments. The Faculty of Law offers a Bachelor of Laws (graduate stream or undergraduate stream), Master of Laws (by coursework and dissertation or by research dissertation only), the Postgraduate Diploma in Law and the PhD (Doctor of Philosophy or Doctor of Laws). The Dean is the Head of the Faculty and is assisted by the Faculty Office which is headed by the Faculty Manager for Academic Administration. For more information see the website <http://www.law.uct.ac.za/>. The Faculty of Law is physically situated in the Wilfred and Jules Kramer Building, Middle Campus.

Faculty Office:

The office for the academic administration of the Faculty of Law. This office may be contacted on +27 21 650 3086.

Academic and general information

Undergraduate Exchange and Semester Study Abroad Students may do no more than four courses per semester (unless they obtain permission from the Exchange Adviser to do so).

- These four courses can comprise no more than one LLM course and up to three LLB courses.
- Should an undergraduate student wish to take an LLM course, s/he must first obtain the permission of the individual course convener and provide the Administrative Assistant of the Law Faculty Office with the convener's written permission. A signature by the course convener on the registration form is sufficient, if such permission can be obtained at the time of registration. If not, written confirmation must be given to the Faculty Office at the earliest available date thereafter.
- Students do not need to do an LLM course and may limit their course selections to LLB courses only.
- We cannot advise you on how many credits you will receive from your home institution per course. All we can advise is that a full semester load for our undergraduate students is the equivalent of four courses per semester.

Postgraduate Exchange and Semester Study Abroad Students may do a maximum of two LLM courses per semester.

- No additional LLM or LLB courses may be taken.
- Postgraduate students do not need to obtain the permission of the LLM course convener in order to take an LLM course, unless the Faculty Handbook prescribes certain necessary course prerequisites or has limited class sizes prescribed for the course.

Course Contact Lectures and Information:

- The number of contact lectures for each LLB and LLM course is contained in the Law Faculty Handbook, available from the Law Faculty Office or on the UCT website (www.uct.ac.za/students/undergraduates/handbooks/).
- Much of the information regarding courses (both LLB and LLM) is also available online on the Law Faculty's website (<http://www.law.uct.ac.za>, select Courses).

Other General Requirements:

- Exchange students who have come to study at UCT in terms of an exchange agreement between their Law Faculty and the UCT Law Faculty may only do courses offered by the UCT Law Faculty. If they do wish to do courses offered by other faculties at UCT, they need to register as occasional students in respect of those additional courses with IAPO, for which they will need to pay the appropriate fees.
- Exchange and semester study abroad students who register for a course are expected to complete all the assignments and examinations set for that course. Students do not receive a credit for a course merely for 'attending' lectures or seminars regularly.
- Exchange and semester study abroad students can change a course at any time within the first week following registration. Thereafter, they will be precluded from doing so.

Course outlines

PBL3801F CRIMINAL LAW (PART A) (was CRJ3001F)

HEQF credits: 18 at level 7

First semester, three lectures per week, three tutorials during the semester.

Course co-ordinator(s): Professor J Burchell.

Only exchange and semester study abroad students may register. The course cannot be considered as credit towards a degree at UCT.

Course outline:

Introduction: This course covers the general principles of criminal law. Students are introduced to these principles by a brief examination of the nature of criminal law, the principle of legality and the operation of the Bill of Rights on the rules of criminal law.

Analysis of principles:

The course focuses on an analysis of the case law and legal principles governing the elements of

- (i) voluntariness of conduct (including the defence of automatism);
- (ii) causation;
- (iii) defences excluding unlawfulness (private defence, necessity, impossibility, obedience to orders, public authority and consent);
- (iv) capacity (including the defences of youth, insanity, intoxication, provocation and emotional stress);
- (v) fault in the forms of intention and negligence;
- (vi) common purpose, accomplice and accessory-after-the-fact liability;
- (vii) attempt, incitement and conspiracy.

The tutorial style of teaching is favoured and students are given all of the tutorial problems and readings, in the order in which they will be covered in classes, at the beginning of the semester and are required to prepare in advance of lectures and tutorials. Class participation is essential.

DP requirements: None.

Assessment:

Optional essay	50%
Compulsory test	50%

PBL2000F CONSTITUTIONAL LAW (PART A)

HEQF credits: 18 at level 7

First semester course, four lectures per week, tutorials.

Course co-ordinator(s): Professor P de Vos.

Only exchange and semester study abroad students may register. The course cannot be considered as credit towards a degree at UCT.

Course outline:

The first part of this course provides an introduction to the history of South African constitutional law and basic concepts such as democracy, legitimacy, constitutionalism, federalism, separation of powers and the rule of law. It then considers the South African Constitution in detail. The second part of the course focuses on the protection of human rights in the Constitution. It examines the operation of the Bill of Rights and, using both SA cases and the jurisprudence of constitutional courts in other jurisdictions as well as the European Court of Human Rights, considers aspects of the Bill of Rights such as freedom of speech and equality, and affirmative action.

DP requirements: None.

Assessment:

Two assignments	20%
One written examination (2 hours)	80%

PBL2001F INTERNATIONAL LAW (PART A)

HEQF credits: 9 at level 7

First semester, two or three lectures per week, tutorials.

Course co-ordinator(s): Ms C Powell.

Only exchange and semester study abroad students may register. The course cannot be considered as credit towards a degree at UCT.

Course outline:

History and sources; sovereignty/jurisdiction; relationship between international and municipal law; international legal personality; objects; treaties; state responsibility.

DP requirements: None.

Assessment:

One assignment	20%
One written examination (1 hour)	80%

RDL1003F FOUNDATIONS OF SA LAW (PART A)

HEQF credits: 18 at level 5

First semester, four lectures per week. Occasional tutorials, at the convener's discretion, will be held as well.

Course co-ordinator(s): Dr L Greenbaum.

Only exchange and semester study abroad students may register. The course cannot be considered as credit towards a degree at UCT.

Course outline:

- a) The history of law in South Africa; the sources of South African Law
- b) The Structure of the courts
- c) The branches of South African Law
- d) The legal profession
- e) The development of legal reasoning through the doctrine of precedent.

DP requirements: None.

Assessment:

One 3 hour written examination

RDL1003S FOUNDATIONS OF SA LAW (PART B)

HEQF credits: 18 at level 5

Second semester, four lectures per week. Occasional tutorials, at the convener's discretion, will be held as well.

Only exchange and semester study abroad students may register. The course cannot be considered as credit towards a degree at UCT.

Course co-ordinator(s): Professor AJ Barnard-Naudé.

Course outline:

Selected topics which may vary from year to year, such as a review of the development of the culture of public law, through the fluctuating fortunes of the rule of law; and an introduction to critical jurisprudence and transformative constitutionalism.

DP requirements: None.

Assessment:

One 3 hour written examination.

SCHOLARSHIPS AND PRIZES

Bursaries from external agencies for LLB study

The Attorneys Fidelity Fund

Merit bursaries for study for a maximum period of 2 years for the LLB degree are offered by the Fund. The amount of such bursaries will in each case be determined by the Bursary Committee of the Fund and preference will be given to applicants in serious financial need, although exceptional merit might also result in an award. Applicants must apply when they have a maximum of two years of study remaining towards their LLB degree.

The closing date for bursary application is 15 August. Application forms are available on request in writing and with specific reference to the "Bursary for LLB study fund", from the General Manager, The Attorneys Fidelity Fund, P O Box 3062, Cape Town 8000.

The Educational Opportunities Council Scholarship Programme for Black South Africans

Merit bursaries for study for the LLB degree are offered by the Educational Opportunities Council in co-operation with certain US law firms and other institutions. The amount of the bursaries is determined by the Bursary Committee of the Council. Black South African candidates with a BA, BProc or BLuris degree intending to proceed to the LLB degree are invited to apply for these awards. The closing date for bursary applications is 30 November. Application forms are available from: - The Secretary, Educational Opportunities Council, P O Box 332, Johannesburg, 2000.

Professional Examination Bursaries

Four bursaries per annum are offered to students whose matriculation examination results are outstanding and who are in need of financial assistance. A candidate should be registered for the Public Service Law Examination, the Attorney's Admission Examination or a University examination in Law (other than for the degree of Bachelor of Laws).

Application forms, available from the Secretary, South African Universities' Vice-Chancellors' Association, P O Box 27392, Sunnyside, Pretoria 0132, should be submitted to that body by 31 January.

See also Book 13 in the series of handbooks, *Bursary and Loan Opportunities for Undergraduate Study*, available from the Faculty Office and Undergraduate Funding Office.

Scholarships for LLB study

Scholarships awarded by the Faculty based on academic merit at the end of each year:

Scholarships awarded without application:

Ionann Scholarship for Criminal Justice

In 2005, Dianna Yach and Peter Stephens donated the proceeds from their book to establish a scholarship of R5 000 for the top black female student in Intermediate Level Criminal Justice courses; their hope is that the scholarship will encourage black women from Southern Africa (including the SADC region) to make a career in criminal justice.

Law Society Charity Bursary (United Kingdom)

In 2004, bursaries were established to be awarded annually to historically disadvantaged South African students who are studying for an LLB degree. Candidates will be selected on the basis of academic merit and financial need.

Value: Variable

Tenure: One year (possibly renewable).

Mike Larkin Scholarship

This scholarship is an initiative of the LSC with contributions from all law students of the Faculty. The initial capital was donated in 2006, and will be supplemented from time to time, from student activities in the future. In 2008 the LSC scholarship was renamed the Mike Larkin Scholarship in honour of the much-loved Head of Commercial Law who was slain in Rondebosch in late 2007. In line with the goals and mission of the LSC, as stated in its constitution, and as a body representative of all law students, the scholarship will be awarded annually to a final-year LLB student.

Value: Variable

Tenure: One year.

Philip Schock Charitable and Educational Foundation Scholarship (for Intermediate Level LLB)

This scholarship was founded in 1989 by the above Foundation in memory of the late Mr Justice Philip Schock.

Awarded on law course results of a student proceeding to Intermediate Level LLB studies either from Final Level BA or from Preliminary Level LLB. The candidate must be within the top third of the class and financial need shall be a consideration.

Value: R5 600 (approximately)

Tenure: One year.

Philip Schock Charitable and Educational Foundation Scholarship (for Final Level LLB)

This scholarship was founded in 1989 by the above Foundation in memory of the late Mr Justice Philip Schock.

Awarded on the course results of a student in the intermediate LLB studies proceeding to the final year. The candidate must be within the top third of the class and financial need shall be a consideration.

Value: R5 600 (approximately)

Tenure: One year.

Scheepers Memorial Scholarship

This scholarship was founded in 1923 by the late Mr Justice JJ Scheepers in memory of his two sons who were killed in the Great War.

This scholarship is awarded on the results of the examination at the end of the Intermediate Level LLB by the Faculty Board. The scholarship is tenable for the Final Level LLB and may be held together with another University scholarship.

Value: R940 (approximately)

Tenure: One year.

Twamley Undergraduate Scholarship

The Twamley Undergraduate Scholarships were founded in memory of the late Mr Harold James van Staveren Twamley who bequeathed funds to the University for this purpose.

The award is made on the basis of the most outstanding academic performance on the results obtained by a student who was registered for the first time for PBL2000W Constitutional Law, PBL2001H International Law and RDL2002H Law of Property. Scholarships are awarded in the first semester annually by the Scholarships Sub-Committee of the Faculty of Law.

Value: R2 000

Tenure: One year.

Scholarships awarded on application:

Application forms are obtainable from the Law Faculty Office. These scholarships are paid to the University and credited to the fee account of the successful student.

Bheki Mlangeni Scholarship

Cheadle Thompson and Haysom have endowed an annual scholarship of R25 000 in memory of Bheki Mlangeni - assassinated in 1991, whilst serving his articles at the firm - for his courage and commitment as a community leader, student and leader. The scholarship will be awarded to a deserving student who is black and financially disadvantaged, who is enrolled in the final year of his/her LLB degree, and who has demonstrated excellence in constitutional law, labour law, constitutional litigation, current issues in constitutional law or international human rights law and the constitution, and who has a commitment to use her or his legal qualification to advance the cause of social justice. The recipient will be required to participate in a vacation assignment at Cheadle Thompson & Haysom Inc.

Closing date: 31 January

Value: R25 000

Tenure: 1 year.

NB: The scholarship is also available to students enrolled in the Master's programme in Social Justice and only one award will be made each year.

International Bar Association Bursaries

The International Bar Association has established bursaries to be awarded to black disadvantaged students who come from outside South Africa and who are studying for their first Law degree. Applicants will be considered on the basis of academic merit and financial need.

Closing date: 31 March

Value: Variable

Tenure: One year (possibly renewable).

Law Diversity Scholarships

The Law Faculty has raised funds from law firms and alumni for the purpose of assisting current academically meritorious and financially needy Black South African law students to complete their studies. This initiative seeks to promote and increase the equity profile of the legal profession.

Closing date: 15 December

Value: Variable

Tenure: One year (renewable subject to conditions).

Law 150 Endowment Scholarships: for top Black South African learners

To mark 150 years of the teaching of law in South Africa, the Faculty of Law launched a fund-raising campaign in 2008 under the umbrella 'Towards Sustainable Justice.' Some of the funds raised are being used to attract talented black South African learners to study law. There are several scholarships of R40 000 p.a. on offer.

Closing date: 31 August. Forms available from the Faculty Office and from the Dean's office.

Tenure: One year (renewable subject to conditions).

Higher Postgraduate Scholarships

Scholarships awarded without application:

Ephraim Kluk Scholarship

In 1988, a scholarship was established in terms of the wishes of the late Ephraim Kluk. The scholarship is awarded for the purpose of undertaking postgraduate research at the University into international law in respect of the concept of peace, justice and understanding between nations. The candidate is selected by the Head of the Department of Public Law in consultation with members of staff in the Department of Public Law.

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Value: R700 (approximately)

Tenure: One year.

Ilse Lowissohn Grants

In 1984 a sum of R10 000 was bequeathed to the University by the late Miss Ilse Lowissohn for the purpose of providing a grant to assist a graduate of the Faculty of Law to undertake courses of postgraduate study in legal history or comparative law at an overseas university. Candidates are selected annually by the WP Schreiner Professor of Law from graduates of the faculty who have shown interest in the historical and comparative dimensions of Roman-Dutch law. Recipients must be registered or intend to register for an approved course of postgraduate study at an overseas university and use the grant to further their knowledge of Roman Law or one of the modern civil law jurisdictions.

Value: Variable

Tenure: One year.

Ina Ackermann Scholarship

A scholarship in memory of the late Ina Ackermann was established in the Faculty of Law from contributions donated to the Ina Ackermann Memorial Fund by family, friends and colleagues. The scholarship is awarded annually in recognition of the importance which Ms Ackermann attached to the role of women in the practising legal profession and is awarded to a woman graduate of the Faculty of Law at UCT who proceeds to the full-time first semester programme offered by the School for Legal Practice. Factors considered when making the award would include academic achievement, financial need and potential for success in the practising legal profession.

Value: Variable

Tenure: Six months.

Scholarships awarded on application:

Basil and Con Corder Scholarship

In 1997, a scholarship was established in terms of the wishes of the late Basil Corder. The scholarship is awarded to a University of Cape Town graduate in law who is registered at the University of Cape Town for the LLM degree by coursework and minor dissertation, on the basis of financial need, proven academic merit and having displayed a concern for the wider community through service individually or in voluntary organisations. Preference will be given to an applicant who will be completing part of the degree at a university outside South Africa. In the event of no award or insufficient awards of the Basil and Con Corder Scholarship for LLM studies, the scholarship may be awarded to an applicant registered for the Intermediate or Final Level LLB, on the basis of financial need, proven academic merit and indication of concern for the wider community, as set out above.

Value: Variable (approximately R10 000)

Tenure: One year.

Bheki Mlangeni Scholarship

Cheadle Thompson and Haysom have endowed an annual scholarship of R25 000 in memory of Bheki Mlangeni - assassinated in 1991, whilst serving his articles at the firm - for his courage and commitment as a community leader, student and leader. The scholarship will be awarded to a deserving student who is black and financially disadvantaged, who is enrolled for the Master's degree in Social Justice, and who has a commitment to use her or his legal qualification to advance the cause of social justice. The recipient will be required to participate in a vacation assignment at Cheadle Thompson & Haysom Inc.

Closing date: 31 January

Value: R25 000

Tenure: 1 year.

NB: The scholarship is also available to students enrolled in the final year of the LLB programme and only one award will be made each year.

Ethel Walt Human Rights Scholarship

Ethel Walt was a human rights activist who directed her passion for social justice through her work in the Black Sash, an organisation of women during the apartheid era who used peaceful protest and a network of legal advice centres to confront the racist laws directed against black South Africans. They operated at great personal risk and identified themselves by wearing black sashes in memory of the constitution that they believed the government had destroyed.

This scholarship is awarded towards tuition for the LLM or MPhil programme in Social Justice or Human Rights Law by coursework and minor dissertation. Preference will be given to applicants who demonstrate proven community involvement of some kind, and a commitment to engaging in community issues after graduation.

Closing date: 31 January

Value: R10 000

Tenure: One year.

Law Endowment Postgraduate Scholarship

To mark 150 years of the teaching of law in South Africa, the Faculty of Law launched a fund-raising campaign in 2008 under the umbrella 'Towards Sustainable Justice'. Some of the funds raised are being used to support postgraduate students taking Master's or Doctoral degrees in law at the University of Cape Town. Scholarships are awarded to LLM, MPhil or PhD students primarily on the basis of academic merit, but financial need may also be a consideration.

Closing date: 31 January

Value: R20 000 for LLM or MPhil students and R40 000 for PhD students

Tenure: One year (but may be renewed for a second or third year for PhD students).

Law Faculty Master's and Doctoral Scholarships

To encourage postgraduate research, every year the Law Faculty will make available four awards to suitable candidates for master's or doctoral degrees by thesis at UCT. This funding is to be regarded as a form of bridging finance to give students contemplating higher degrees the security of knowing that their financial needs will be met for the first year of their studies, which is a critical period in their progress. Successful candidates must also make application to the University Scholarships Committee and other appropriate sources for scholarship funding. Any award from external sources that takes financial support beyond the level of R170 000 per annum for a master's student or R220 000 per annum for a doctoral student will then be deducted from the scholarship granted by the Faculty.

Closing dates: 31 January and 15 June

Value: R84 000

Tenure: One year (renewable once only).

Sir William Solomon Memorial Scholarship

In 1939 Miss Emile Jane Solomon bequeathed R10 000 to the University to found a scholarship in memory of her brother, the late Sir William Solomon MA KCSI KCMG, formerly Chief Justice of the Union of South Africa.

The scholarship is available for candidates taking research degrees in law by thesis only.

Closing dates: 31 January and 15 June

Value: Variable

Tenure: 1 year (renewable).

Wilfred Kramer Law Grants and Scholarships

Wilfred Kramer Law Grants are available for graduates in Law who enrol for approved higher postgraduate study in the Faculty of Law at the University of Cape Town. In addition limited funds are available for students who wish to partake in an approved exchange programme at an overseas university; the students do part of the LLM course work at an approved overseas university and the balance of course work as well as the minor dissertation at UCT Law Faculty. Further information is

available from the Law Faculty Office. Wilfred Kramer Law Scholarships are available to enable graduates in law of the University of Cape Town to pursue post-graduate studies in law at Cambridge University, England preferably (Trinity Hall) or elsewhere overseas.

Closing dates: 31 January and 15 June

Value: Variable

Tenure: 1 year (renewable).

For other funding and grants see Book 14 in the series of handbooks, available from the Postgraduate Funding Office, e-mail: pgfunding@uct.ac.za.

Prizes and Awards

Final Level LLB Students

Bowman Gilfillan Prize

In 1992, Bowman Gilfillan Hayman Godfrey Inc, firm of attorneys, established an annual prize of R5 000. The prize is awarded to the Final Level student, if of sufficient merit, with the highest marks in the course CML4201H Revenue Law.

D B Molteno Memorial Prize

A prize of R1 000 in memory of the late Professor DB Molteno QC, first Professor of Public Law in the University of Cape Town, to be awarded annually to the Final Level student who achieves the best overall performance, if of sufficient merit, in courses offered by the Department of Public Law.

Gering Prize for Commercial Transactions Law

In 2005 an annual prize in honour of his late wife Nina, a UCT BA graduate, was established by Professor Leonard Gering, an alumnus and academic. Professor Gering passed away in 2007 and the family has now established the Leonard and Nina Gering Prize (R1 500) for the best student in CML4006W Commercial Transactions Law.

Ina Ackermann Prize

A prize of R1 000 in memory of the late Ina Ackermann, Senior Lecturer in Commercial Law at the University of Cape Town (1985-1993), is awarded annually to a student of sufficient merit obtaining the highest overall marks in the course CML4006W Commercial Transactions Law. The necessary funds for this purpose have been made available by friends and colleagues of Ms Ackermann.

Judge Schock Prize

In 1989 a prize of R10 000 was established in memory of the late Judge Schock, to be awarded annually to the best Final Level student, if of sufficient merit, at the discretion of the Dean.

Juta Law Prize – Best Final Level

Juta & Co Limited established a prize of R1 000 in the form of books to be awarded annually to the best Final Level student, if of sufficient merit. The prize winner will be entitled to purchase books of his/her choice to that value.

South African Society for Labour Law Prize

In 2000 the South African Society for Labour Law established a prize of R2 000, to be awarded annually to the best Final Level student, if of sufficient merit, with the highest marks in the course CML4202H Labour Law.

Spoor and Fisher Prize for Intellectual Property Law

Spoor and Fisher, attorneys and patent attorneys, established a prize to be awarded to the best student, if of sufficient merit, in the course Intellectual Property Law (RDL4204H). The value of the award is R500.

Intermediate Level LLB Students

Bisset Boehmke McBlain 150th Anniversary Award

A prize of R25 000 for the Final Level LLB student who, in the opinion of the Dean of the Faculty, is most deserving, regard being had to academic achievement, financial need and his or her passion for the law and for the achievement of social justice through the law.

Blumberg Prize for service to student community

In 2007 alumnus Henry Blumberg established the Henry & Marcia Blumberg Prize of R2 000 to be awarded annually to an intermediate LLB student who has worked hard both academically and in service of the wider student community; the award will be made at the Dean's discretion in consultation with Heads of Department.

LexisNexis Butterworths Prize – Best Intermediate Level

LexisNexis Butterworths (Pty) Limited has established an annual prize of R5 000 to be used for the purchase of books which it publishes. The prize is awarded to the best Intermediate Level student, if of sufficient merit.

LexisNexis Butterworths Prize – Civil Procedure

LexisNexis Butterworths (Pty) Limited has established an annual prize of R750 to be used for the purchase of books which it publishes. The prize is awarded annually to a student of sufficient merit obtaining the highest overall marks in the course RDL3008H Civil Procedure.

Mike Blackman Memorial Prize

The Mike Blackman Memorial Prize is sponsored by Juta & Co and is awarded annually to the student with the best results in Company Law. The prize is to commemorate Mike Blackman's outstanding work and contribution to commercial law. The prize consists of a set of the 3-volume *Commentary on the Companies Act* authored by the late Mike Blackman together with Richard Jooste and Geoff Everingham, assisted by Michael Larkin, Conrad Rademeyer and Jacqui Yeats, all of UCT.

Tom W Price Memorial Prize

A prize of R1 000 in memory of the late Professor TW Price, Professor of Roman-Dutch Law at the University of Cape Town, is awarded annually to the Intermediate Level student, if of sufficient merit, obtaining the highest overall marks in the Preliminary and Intermediate Levels examinations in Private Law.

Preliminary LLB Level and Undergraduate Students

(Year 1 Graduate LLB, Year 3 and 4 Combined Law Stream and Year 1 and 2 Undergraduate LLB)

Adams and Adams Prize

In 1988 Adams and Adams, patent attorneys, trade mark agents, attorneys, notaries and conveyancers, established an annual prize of R3 500. This prize is awarded to the best second year ADP (Academic Development Programme) student.

Ben Beinart Memorial Prize

The Editorial Board of *Acta Juridica* and its publishers, Juta & Company Limited, have established an annual prize for the award to the best student, if of sufficient merit, in RDL1004H Comparative Legal History and RDL1003W Foundations of South African Law. The prize is a set of all available issues of *Acta Juridica*.

Cliffe Dekker Hofmeyr Prize – Best Preliminary Level

Cliffe Dekker Hofmeyr have established a prize of R5 000 for the best student at Preliminary Level i.e. Foundations of SA Law, Law of Persons and Family, Comparative History, Constitutional Law, International Law and Law of Property.

Eversheds Prize for Property Law

Established in 2007 by Routedge Modise Attorneys, a prize of R2 000 is awarded to the best student in the Law of Property.

Sir Franklin Berman Prize for International Law

In 2006 Sir Franklin Berman, a graduate of UCT and former legal advisor to the British Foreign Office, established a prize of R1 000 for the student who gains the highest marks in International Law.

Soraya Donnelly Technology Award for International Law

The Soraya Donnelly Technology Award is awarded annually (at the discretion of the Faculty of Law) to a deserving student of International Law (PBL2001H). The award is funded by Shihaam Donnelly in honour of her mother Soraya Donnelly who constantly motivated and supported her throughout her academic career. The award will consist of various electronic devices.

Yash Ghai Prize for Constitutional Law

In 2006, the leading Public Law academic and honorary professor in the Faculty, Professor Yash Ghai, established a prize of at least R1 000 to be awarded to the top student in Constitutional Law.

Other Prizes

Bar Council Moot Prize

A prize of book vouchers to the value of R1 000 to be awarded annually to the best students participating in a series of moots conducted within the Faculty. The necessary funds for this prize are made available as a result of a grant from the Cape Town Bar Council.

Captain Bob Deacon Prize

The Captain Bob Deacon Prize is awarded annually (at the discretion of the Board of the Shipping Law Unit) to the student who achieves the top mark in the Higher Postgraduate Shipping Law courses (CML5624F, CML5625F, CML5626S). The prize is funded by donations from colleagues in memory of Captain Bob Deacon, one of the first forensic marine surveyors to practise in the port of Cape Town, and a person who enthusiastically supported the education of maritime lawyers.

David Potts Prize for the best essay on Delict/Torts in cyberspace

The David Potts Prize in the amount of \$1,000 may be awarded annually for the best essay on a topic concerning Delict/Torts in cyberspace, which could be in any course at LLB or LLM/PG Diploma level. David Potts is an alumnus of the University of Cape Town, graduating in 1971. He practices primarily as a Barrister in Ontario and specialises in defamation law including cyberlibel.

Dean's Awards for Service

In recognition of student service to the wider community, such awards were established in 2008. They are made during the course of the year, after a call for nominations from students and staff. They are awarded at the discretion of the Dean, in consultation with the Deputy Deans and Heads of Department. They carry no purse.

Edward Nathan Sonnenbergs Essay Prize

Edward Nathan Sonnenbergs essay prize of R4 000 to be divided annually among all the students whose essays have been accepted for publication in *Responsa Meridiana*.

Engen Petroleum Prize in Marine Law

A prize to be awarded to the student whose combined results are the best in any one year in the Marine Law courses, provided that a satisfactory standard is obtained.

Rodman Ward Prize

Mr and Mrs Rodman Ward Jr have established an annual prize of R3 000 for the best essay written on an aspect of Corporate Governance.

Solly Kessler Memorial Essay Prize

A book prize of R1 000 for the best essay on a topic concerning constitutional law, which could be in any course, was established in memory of alumnus Solly Kessler, an outstanding student who won five class medals and obtained his LLB in 1951. He had a particular interest in constitutional law and practised law until he passed away in June 2005; he was awarded the Cape Law Society President's Discretionary Award in 2005 in recognition of "outstanding service to the profession".

Spoor and Fisher Prize for Student Legal Writing

In commemoration of their 75th anniversary in 1995, Spoor and Fisher, attorneys, established a prize of R500, to be awarded annually for the best article submitted by a UCT law student and accepted for publication in *Responso Meridiana*. The prize winner is determined by the Dean in consultation with the Editorial Board of *Responso Meridiana*.

Dean's Merit List

Note: The Dean's Merit List is published annually. It contains the names of students whose academic performance over the year is meritorious and hence worthy of recognition. Students who qualify for inclusion in the list will receive a letter of commendation from the Dean. The list will be posted on notice boards. The academic records of students will be endorsed accordingly.

For inclusion in a Merit List, a student must:

- (a) obtain an overall percentage of 65% or above in all courses completed for the relevant year of study. Credits from other universities may be included for this purpose, provided that at least the equivalent of four full courses is completed at this university in each of the years.
(Note: For the purposes of computing averages, see the details below in 'How to calculate your total average mark'. Marks for the course Understanding Financial Statements (ACC1014S) or its equivalent, Law that Counts (MAM1013F/S) and Moot Competition (DOL3000X) are not included when determining inclusion in the Dean's Merit List. The required aggregate will include deferred examination results, but not supplementary examination results. The required aggregate will be increased by one percentage point for each course fewer than the prescribed number in the standard curriculum.)
- (b) complete the courses within the minimum period;
- (c) not fail any course in the year concerned; and
- (d) not be repeating any course.

How to calculate your total average mark

Preliminary Level and Academic Development Programme

Add the scores in all the courses of the Preliminary Level, Preliminary Level A, Preliminary Level B, or the relevant year of the undergraduate or postgraduate Academic Development Programme, as the case may be, adding the scores for whole courses TWICE. To get the average percentage, divide the total so calculated by the number of half course equivalents taken.

Intermediate Level

Add the scores in all the courses of the Intermediate Level, adding the scores for whole courses TWICE. Divide the total number so calculated by 11 to get the average percentage.

Final Level

Whole courses	= % x 8
Half courses	= % x 4
Research component	= % x 2
9 credit options	= % x 2
4.5 credit options	= % x 1

Add the weighted percentages calculated according to the above formula. Divide the total by 35 to get the average percentage.

Note: The final results for students who write deferred examinations will be calculated only after publication of the deferred examination results.

LLB Class Medals

A. Courses for which medals may be awarded:

1. A medal is awarded for a course only if Senate so decides. In determining whether a medal should be awarded for a course, Senate must be guided by the following:
 - 1.1 A medal may be awarded in any course, half course or semester course which is taught during contact periods totalling at least 36 hours, or which has equivalent weight.
 - 1.2 Courses or parts of courses or units may be combined for the purposes of the award of a medal provided:
 - 1.2.1 the courses, part courses or units are not optional, and
 - 1.2.2 they are undertaken in each instance by the same group of students during the course of a single academic year.
 - 1.3 Except as determined by Senate, only one medal is awarded for each course or combination of courses, half courses or semester course.
2. The award of a medal:
 - 2.1 A medal may be awarded only to a student who has demonstrated special ability and no award will be made if there is no candidate of sufficient merit.
 - 2.2 No award will be made to any student undertaking the course for a second time.
 - 2.3 If Senate decides that a medal may be awarded for a course, it must designate the faculty which will make the award. No distinction must be made between students from different faculties undertaking the course.
 - 2.4 The award will be at the discretion of the Faculty concerned and based upon final examinations or class work or both.
3. Publication of awards:

A list of class medallists will be published in December and a supplementary list will be published in April, after deferred examination results are known.

Class medals may be awarded in the following LLB courses:

CML3001W	Corporation Law
CML4006W	Commercial Transactions Law
PBL2000W	Constitutional Law
PBL2001H	International Law
PBL3000F	Interpretation of Statutes
PBL3801W	Criminal Law
PBL3802H	Criminal Procedure
PBL4001W	Administrative Law
PBL4801H	Evidence
RDL1002H	Law of Persons and Marriage
RDL1003W	Foundations of South African Law
RDL1004H	Comparative Legal History
RDL2002H	Law of Property

RDL3001H	Law of Succession
RDL3003H	Law of Delict
RDL3005W	Law of Contract
RDL3008H	Civil Procedure
RDL4005H	African Customary Law
RDL4006H	Jurisprudence

B. John Kotze Medal

The late Sir John Gilbert Kotze, formerly a judge of the Supreme Court of Appeal (formerly the Appellate Division), bequeathed a sum of money to the University for a medal to be awarded annually to the Final Level LLB graduate who obtained the highest marks in Roman Law and Private Law.

Note: As Roman Law is no longer a compulsory course in the LLB curriculum, Comparative Legal History is substituted as the equivalent.

ADDITIONAL INFORMATION

Distinguished Teachers in the Faculty

The University has instituted a Distinguished Teacher Award in recognition of the importance of excellence in teaching at all levels in the University. The following members of staff of the Faculty of Law have received the award:

Professor DB Hutchison (Roman Dutch and Private Law)	1982
Judge DM Davis (Commercial Law)	1983
Professor J Hare (Commercial Law)	2000
Ms EJS Steyn (Criminal Justice)	2001
Associate Professor W Schärff (Criminal Justice)	2002
Associate Professor M Paleker (Private Law)	2005

Fellows in the Faculty

The Council of the University has established Fellowships for members of the permanent academic staff in recognition of original distinguished academic work of such quality as to merit special recognition. The following members of staff of the Faculty of Law have received Fellowships:

Professor T Bennett
 Professor J Burchell
 Professor HM Corder
 Professor W de Vos
 Professor D Visser

UCT Book Award

The University Book Award recognises the publication of books, written by University staff, that brings credit to the University. The following members of staff of the Faculty of Law have received the award:

Professor MS Blackman	<i>Companies (in Law of South Africa, first re-issue Vol 4, parts 1,2 and 3)</i>	1998
Professor J Glazewski	<i>Environmental Law in South Africa</i>	2002
Professors MS Blackman, GK Everingham, RD Jooste	<i>Companies Act: Commentary</i>	2004

Publications

Acta Juridica

Acta Juridica is published under the auspices of the Faculty of Law of the University of Cape Town. It has appeared annually since 1958, and is the successor to Butterworths South African Law Review (1954-1957). The General Editor is Associate Professor G Bradfield and the Treasurer is Ms K Lehmann.

Responsa Meridiana

Responsa Meridiana is an annual law review published under the auspices of the Student Law Societies of the Universities of Cape Town and Stellenbosch. It first appeared in 1964. It is purely a student publication, and contains articles of legal interest from both within and outside the Faculty of Law.

Law Students' Council

The Law Students' Council (LSC) consists of nine UCT students. Students are chosen to represent the Law Faculty through democratic elections held annually and which occur independently of the Student Representative Council (SRC).

The LSC acts a bridge between staff and law students on both academic and extra-curricular fronts. We strive to develop a healthy student life above and beyond academic learning.

In achieving these aims, the LSC represents the student body in various aspects of the Law Faculty. Our members echo the student voice on the Faculty Board, Academic Planning Committee, Moots Committee, Community Service Committee, Health and Safety Committee, Orientation Committee and Information Technology and Equipment Committee.

Our **Mission** going forward into 2013 is:

Communication: to facilitate consistent and helpful dialogue between staff and students

Integration: to culture a sense of genuine community within the Law Faculty

Representation: to elevate student-related issues to relevant faculty committees and to create new platforms conducive to hearing and tackling student-related issues

Service: to meeting the academic and social needs of students

Leadership: to build on the foundations laid by past Councils in order to realise long-term goals

Legitimacy: to gain confidence from the student body as an integral part of academic and social life

Our **Vision** going forward is to meet diverse student needs through healthy communication, effective representation and thoughtful leadership.

Ethics Clearance

Research that involves human participants or animal use for research or teaching must undergo ethics review, according to faculty-specific guidelines. Review generally entails prior approval of a research proposal by a Research Ethics or Animal Ethics Committee. In cases where prior approval is not appropriate, the research proposal should be subjected to appropriate deliberative procedures, according to faculty-specific guidelines. Research papers or dissertations that involve human participants or animal use may not be submitted for examination if they have not undergone any ethics review process.

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UNIVERSITY OF CAPE TOWN TEACHING AND LEARNING CHARTER

Overview

This charter outlines the goals we have set for ourselves in Teaching and Learning at the University of Cape Town.

By accepting a place at the University each student accepts responsibility for his or her own learning. This requires a commitment to hard work, and to participate fully in academic activities. It also recognizes that if students approach their studies in an open-minded, questioning manner, they will enhance their own educational experience and that of their fellow students and the academic staff.

By taking up academic appointments at the University, academic staff accept responsibility to teach to the best of their ability, to provide all reasonable assistance to students to enable them to do as well as they can, and to endeavour to teach with enthusiasm, creativity and rigour, and in a manner which reflects and interprets the research-led identity of the institution.

The University community acknowledges that effective teaching is best encouraged in a constructive and supportive environment within broadly agreed principles of good practice. While heads of academic departments are formally responsible to Senate for teaching and learning in their departments, individual academic staff are accountable for their teaching contribution which is assessed according to agreed performance criteria.

Mutual commitment:

Students should undertake to:

1. Treat staff and fellow students with dignity and respect, especially in lectures, tutorials, laboratories and libraries.
2. Prepare for and attend all classes, tutorials, practicals and other activities scheduled for the courses in which they are registered.
3. Complete all submissions and any other course requirements to the best of their ability, handing in work on time.
4. Take responsibility for their own learning, while also interacting constructively with their fellow students, lecturers and tutors.
5. Address personal issues that might reduce the chances of success in good time so that these do not limit learning opportunities.
6. Not cheat, and not submit work of others as their own.
7. Complete course and lecturer evaluations for each course they are registered for.

Academic staff should undertake to:

1. Treat students and fellow staff with respect and dignity, and without discrimination or favouritism.
2. Teach to the best of their ability, striving to achieve clarity and to create an environment where questions and enquiry are encouraged.
3. Provide all reasonable assistance to students to enable them to do as well as they can, and to be available in clearly advertised ways to respond to student queries (e.g. by face-to-face consultations, email or other online means within a reasonable period and/or at reasonable times).
4. With respect to courses that they teach:
 - a. Provide clear, written course outlines, stating what is expected of students, DP requirements, if any, and how performance in the course will be assessed;
 - b. Adhere to agreed and published timetables for the courses;
 - c. Provide lists of required and recommended readings, in advance, and ensure that such materials are available to students on paper or online. The University Libraries, in line with their collection development policy, will endeavour to make relevant material available to students;
 - d. Design and implement a system of assessment for each course, which is consistent with the course design, content and objectives;
 - e. Return work submitted for assessment within a reasonable period of time, with appropriate and constructive comments and other forms of evaluation, and ahead of formal examinations, so that students learn from this;
 - f. Ensure consistent marking and effective moderation of marking;
 - g. Organize an evaluation for each course and use the feedback to improve the course.

Students registered for Master's and Doctoral degrees, and staff supervising these studies, should read this charter in conjunction with the Memorandum of Understanding (MOU) between supervisors and students, which guides supervisor – student interactions and timelines.

The University strives to

- Provide a safe and effective learning environment.
- Provide support and developmental opportunities for teaching.
- Provide all reasonable facilities and structures to support student success.

The University undertakes to

- Provide secure and reliable processes in respect of assessment and certification procedures.