

SYLLABI

7.1 Department of Criminal Justice

Fundamental Criminology 1541 (CRM 1541)

CRM 1541 is a 12 credit first year module offered in the first semester at NQF level 5. This module is designed to introduce students to criminology as a study field within the social sciences. Criminological concepts such as crime, criminology, the role of a criminologist, the profile of an offender, victim, as well as the victim-perpetrator relationship are examined. Since criminology is primarily concerned with an understanding of the causes of crime, the module examines some of the most influential explanations for criminal behaviour. Theories of crime causation and its distribution over time, place and social groups will be examined in this module. The different models of crime reduction comprising of primary, secondary and tertiary as well as integrated approaches are introduced. The module further exposes students to an understanding of the role of the criminal justice institutions and processes entailed in the administration of justice.

Fundamental Criminology: Individual Crime Studies 1641 (CRM 1641)

CRM 1641 is a 12 credit first year module offered in the second semester at NQF level 5. The module introduces students to individual crimes studies with special emphasis on particular types of crimes. This module focuses on specific crimes such as domestic violence, corruption, substance abuse and drug-related crimes, conservation crimes and cybercrimes. The students are introduced to amalgamating the theoretical issues and contemporary social concerns about crime to gain an understanding of criminology as a broader multi-disciplinary field of studies. The module enables students to demonstrate an informed understanding of the application of criminological theories to specific crimes.

Criminology: Youth Offending 2541 (CRM 2541)

CRM 2541 is a 12 credit second year module and is offered in the first semester at NQF Level 6. The module provides students with knowledge and insight into the subject of youth offending from various perspectives including psychological and sociological. Particular attention will be paid to the role of the family, schools, and peer group pressure in contributing to youth offending. The module will explore among others: the nature, context and extent of youth offending, the relevant theories and their application in youth offending in South Africa and the control and prevention of youth offending as well as the relevant policies.

Criminology: Crime Prevention 2641 (CRM 2641)

CRM 2641 is a 12 credit second year module offered in the second semester at NQF Level 6. The module equips students with knowledge and insight into historical perspectives and approaches of crime prevention. It also focuses on the models and strategies in crime prevention as well as the analysis of relevant legislation and policies. The course provides opportunities for students to investigate selected areas of crime prevention theory and its application in the security management field.

Criminology: The Application of Criminological and Victimological Theories in the Analysis of Crime 3541 (CRM 3541)

CRM 3541 is 12 credit third year module offered in the first semester at NQF level 7. This module comprises of two units. The first unit deals with criminological theories and the second unit deals with victimological theories. The first unit of this module which is on criminological theories is designed to engage students in the process of summarising, critically evaluating and testing criminological theories. The module will import concepts from other disciplines in the social sciences to advance the testing of theories of crime. The module will enable students to write up an analysis and present their findings in class. The analysis and presentation will prepare students for an advanced criminological research module.

The second unit of this module focuses on victimological theories to provide an advanced integrated study of victimisation. The module takes as its point of departure recent international

developments and international protocols on victims' rights and also examines specific patterns of victimisation. The interactions between crime victims and the justice system are further examined with a special focus on restorative justice and other indigenous justice approaches within the South African context. The student will be expected to critically analyse current as well as classical works in the area of victim service. This module applies the knowledge gained in the second year module on Victimology by conducting case studies in which students are expected to examine the relationship between victim and offender during the victimisation process. A victim empowerment policy implementation assessment will be conducted experientially whereby students will engage in service-learning at a victim crime assistance agency of their choice and later submit a report on the agency's functionality in victim assistance. Throughout the course the impact of differences on the basis of race, age, gender, class, ethnicity, sexuality and disability will be examined in theories and criminological application.

Criminology: Research Methods in Criminology 3641 (CRM 3641)

CRM 3641 is 12 credit third year module offered in the second semester at NQF level 7. The module is intended to offer students insight into the various research methods and methodologies used in criminological and criminal justice research. The students will gain knowledge and practical understanding of not only quantitative and qualitative research methods but also mixed-methods research design. Students will encounter a range of techniques within each of these methods. Students will examine these research methods and related challenges. The focus in qualitative research will be on techniques such as case studies, interviews, observations and ethnography, whereas quantitative research focuses on techniques such as questionnaires, surveys and other numerical data collection tools. During the lectures the final year students will also be exposed to case studies in which they will discuss in small groups the ethical and pragmatic considerations applicable in the various research methods and the methodological framework for approaching a research problem. Furthermore, students are expected to gain a full appreciation of the important role of research ethics in criminological research, including issues of consent, confidentiality, privacy and storage of data.

Penology 3541 (PEN 3541)

PEN 3541 is a 12 credit third module offered in the second semester at NQF Level 7. It provides students with the knowledge and skills to analyse and evaluate different forms and the justifications of punishment. The module also explores the history and aims of incarceration as well as the relevant legislation and penal policies.

Fundamental Policing: National and International Perspectives 1541 (POS 1541)

POS 1541 is a 12 credit first year module offered in the first semester at NQF level 5. This module is designed to introduce first year students of Policing Studies to the field of policing by understanding the origins and international policing approach and its influence on the current approach within the policing system in South Africa. The module also covers the core functions of the police as mandated by the relevant legislation and policies, including the Constitution of the Republic of South Africa Act 108 of 1996 and the Police Act 68 of 1995. The module will also provide an opportunity to understanding the importance of securing the co-operation of the public in combating crime.

Policing Studies: Introduction to Functional Policing 1641 (POS 1641)

POS 1641 is a 12 credit first year module offered in the second semester at NQF level 5. This module familiarizes students with the principle issues facing contemporary functional policing. It provides students with the necessary knowledge and understanding of legal mandates and policies for effective and normal functioning of policing agencies in the public and private sectors. This module offers an introduction of systematic approaches to crime prevention as well as hierarchical responsibilities in eradicating crime.

Policing Studies: Community Policing 2541 (POS 2541)

POS 2541 is a 12 credit second year module offered in the first semester at NQF level 6. This module equips students with an understanding of community policing as it emphasizes the imperativeness of police-community relations as a possible to effective information exchange platform. The module brings students to realization that law enforcement is and will be unable to deter crime alone, therefore, it necessitates a joint problem identification with results in joint problem-solving approach. Students will learn among others: legislative support for community policing; partnership policing; the rule of law in policing; as well as theoretical justification.

Policing Studies: Introduction to Forensic Investigation 2641 (POS 2641)

POS 2641 is 12 credit second year module offered in the second semester at NQF level 6. This module is designed to introduce students to the processes that occur at a crime scene. This module enables students to understand crime scene procedures from the photography of the scene and record keeping at the scene through to the preservation and collection of evidence from crime scenes. This will include techniques for the recovery of fingerprints, footwear marks, and tool marks and the collection and correct packaging of items such as hair(s), fibres, glass and paint, etc. Students will also be introduced to the legal and documentary framework that accompanies the collection and preservation of evidence. Applying the theoretical knowledge, students will examine the practicalities of searching for and recovering evidence from crime scenes. The evidence will be examined and considered in terms of the amount of information that can be obtained from the analysis. The module emphasises the multidisciplinary nature of forensic investigations and integrates legal, practical and scientific aspects of crime scene investigations. The module will provide an introduction to various aspects of forensic science, which may include: crime scene investigations (using case histories to illustrate key issues); the value of physical evidence in criminal investigations; Locard's Law – the principle which underpins forensic science; forensic archaeology and anthropology – application in criminal cases; forensic pathology – the role of the pathologist; the use of analytical techniques in forensic investigations; forensic biology - including hair as trace evidence and the forensic scientist as an expert witness in court.

Policing Studies: Police Administration and Management 3541 (POS 3541)

POS 3541 is a 12 credit third year module offered in the first semester at NQF level 7. The module deals with the administration and management processes that take place in any police organization including the South African Police Service (SAPS). It intends to equip students with knowledge and skills of the organizational structure of the SAPS, police supervision and management in terms of the applicable legislation, various theories on motivation and leadership, labour related topics such as police unionism, police wellness and employee assistance programmes, and other related matters including the right to strike and police corruption.

Policing Studies: Reactive Policing 3641 (POS 3641)

POS 3641 is a 12 credit third year module offered in the second semester at NQF level 7. The module is about criminal investigations. It intends to equip students with the necessary knowledge and skills of crime scene management and investigation, investigations of specific crimes and incidents such as road accidents, collection and preservation of evidence, questioning of suspects and witnesses and related matters. The students will be presented with a range of case studies for purposes of analysis, critical evaluation and application of the knowledge acquired.

Victimology 2541 (VIC 2541)

VIC 2541 is a 12 credit second year module offered in the first semester at NQF level 6. Victimology, as a branch of criminology, is the study of victimization, including the relationships between victims and offenders, between victims and the criminal justice system, and between victims and other groups and institutions. It studies the impact of the crime on the victim, the rights of victims and victim empowerment programmes, legal responses to crime victimization, including restorative justice and how victimological knowledge can be used for the rehabilitation and resocialisation of offenders.

7.2. Departmental of Criminal and Procedural Law

Civil Procedure 4541 (CIV 4541 & CIV 3541)

CIV 4541 is a 12 credit fourth year module offered in the first semester at NQF level 8. (This module is also offered to the BA.CRM students as CIV 3541). In CIV 4541 focus is on the Application procedure. The following topics are covered Cause of Action, Locus Standi and Jurisdiction; Prelitigation issues; Issue and service of legal documents; Actions and Applications procedures and rules; Pretrial; Civil Trial; Judgements; Debt Collection; Interlocutory applications; Reviews and Appeals.

Civil Procedure 4641 (CIV 4641 & CIV 3641)

CIV 4641 is a 12 credit fourth year module offered in the second semester at NQF level 8. (This module is also offered to the BA.CRM students as CIV 3641). In CIV 4641 focus is on the Action Procedure. The following topics are covered Cause of Action, Locus Standi and Jurisdiction; Prelitigation issues; Issue and service of legal documents; Actions and Applications procedures and rules; Pretrial; Civil Trial; Judgements; Debt Collection; Interlocutory applications; Reviews and Appeals.

Clinical Legal Education 4541 & 4641 (CLE 4541 & CLE 4641)

Clinical Legal Education is two 11 credit fourth year modules (CLE 4541 & CLE 4641) in the first and second semester at NQF level 8. The modules are offered by the Univen Law Clinic and provide final year LLB students with an opportunity to do experiential learning in a work environment. All the final year law students will attend every week practical sessions in the Law Clinic. The students will have an opportunity *inter alia* to consult with clients, to take and prepare statements, to determine and analyse the facts of a matter, to do research on the appropriate legislation and case law, to apply the law to the facts and to assist in the preparation for trial. The integration of theoretical and practical knowledge and the handling of practical cases will augment the application of skills and competencies. Clinical legal education is conducted under supervision and guidance of attorneys and is intended to provide students with valuable practical skills for use as future lawyers. The Law Clinic, which is attached to the School of Law, provides legal services to the indigent members of the surrounding area and the students are exposed to real life clients. The legal aid rendered directly by the Law Clinic is of a divergent nature, including the conducting of consultation and provision of legal advice, liaison, negotiation and correspondence with various parties such as state departments, attorneys, businesses and financial institutions. Students also perform community service in these two modules under the supervision of an attorney at the Vuwani Resources Science Centre and at various Small Claims Courts in the area.

Criminal Law 2541 (CRL 2541)

CRL 2541 is a 12 credit second year module offered in the first semester at NQF level 6. CRL 2541 deals with the general principles of Criminal Law with specific reference to the place of Criminal Law in the legal system; the history and sources of Criminal Law; theories of punishment; the general elements of a crime; participation in crime; corporate criminal liability, attempt, conspiracy and incitement.

Criminal Law 2641 (CRL 2641)

CRL 2641 is a 12 credit second year module offered in the second semester at NQF level 6. CRL 2641 focusses on the principles governing a selection of specific crimes against the state; crimes against the community, personal and bodily freedom or integrity, and crimes against property as well as the drafting of charge sheets for specific crimes.

Criminal Procedure 3541 (CRP 3541)

CRP 3541 is a 12 credit third year module offered in the first semester at NQF level 7. In CRP 3541, students will be introduced to the general principles of criminal procedure both in Magistrates' Courts and in the High Court. 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.

Criminal Procedure 3641 (CRP 3641)

CRP 3641 is a 12 credit third year module offered in the second semester at NQF level 7. In CRP 3641 students will be introduced to the general principles and procedures relating to drafting of charges, trial, plea procedures, verdict, sentence, appeal and review.

Law of Evidence 3541 (EVI 3541)

EVI 3541 is a 12 credit third year module offered in the first semester at NQF level 7. The module requires an ability to correctly evaluate and apply the concepts, principles and general rules of the Law of Evidence in criminal and civil proceedings. The following topics are covered - the determination of the issues in court cases; the evidentiary rules applicable to witnesses in general and the presentation of different kinds of evidence; proof by way of judicial notice, formal admissions and presumptions; the burden of proof and the quantum of proof.

Law of Evidence 3641 (EVI 3641)

EVI 3641 is a 12 credit third year module offered in the second semester at NQF level 7. The following topics are covered - the evaluation and sufficiency of evidence; the relevance and admissibility of evidential material; the admissibility of unconstitutionally obtained evidence; an understanding of the relevance of such knowledge in legal practice and of the different approaches and viewpoints taken by courts and academics on the practical application of the above rules in order to critically evaluate facts, assumptions and those explanations typical within the field of the Law of Evidence.

Medical Jurisprudence 3641 & 4631 (MED 3641 & MED 4631)

MED 3641 is a 12 credit third year module offered in the second semester at NQF level 7. (This module is also offered as MED 4631. MED 4631 is a 10 credit fourth year elective module offered in the second semester at NQF level 8). The following topics are covered – the Constitution and Medical law; the South African Health Care System; Regulation of the Medical Profession by the Law; Contractual Relations; The Legal Basis of Medical Intervention; Legally Recognised Medical Procedures; Criminal Liability of the Doctor: Murder and Culpable Homicide; Delictual Liability; The Practice of Forensic Medicine; Causes of Death and Inquests.

7.3. Department of Jurisprudence

Accounting for Lawyers 1641 (ACL 1641)

ACL 1641 is a 12 credit first year module offered in the second semester at NQF level 5. This course equips students with basic knowledge and understanding of the variety of transactions essential to complete an adequate set of books and to design a plan of accounts to suit the needs of a legal enterprise. The course enables the student to prepare simple set of Annual Financial Statements, and compute and account for VAT. The necessary skill to account for moneys received on behalf of clients to be held in trust for them, and to compute and account for income (fees) and expenses (disbursements) are also imparted.

Comparative Law 4631 (COP 4631)

COP 4631 is a 10 credit fourth year elective module offered in the second semester at NQF level 8. COP 4631 is a systematic and scholarly study of the similarities and differences between legal systems, institutions and processes of different jurisdictions. The course is concerned with the comparison of legal systems. Comparative Law evaluates the various ways in which one can define the comparative method of legal study. The Common Law and Civil Law systems are compared in a number of selected jurisdictions which apply them respectively. i.e. Germany and France as examples of the civil law system, with England, Australia and the United States of America as examples of Common Law systems.

Computer Literacy 1541 (ICL 1541)

ICL 1541 is an 8 credit first year module offered in the first semester at NQF level 5. Students receive hands-on training in computer labs that enable them to create computer generated files and folders and manage them. This course covers the optimal use of Microsoft Word, Microsoft Excel, Microsoft Access, as well as PowerPoint.

Customary Law 2641 (CUL 2641)

CUL 2641 is a 10 credit second year module offered in the second semester at NQF level 6. The purpose of this module is to introduce students to the history, theory and practice of customary law in South Africa. It imparts critical contextual knowledge in the different aspects of customary law and how such are applied. Customary law as a source of law is a vital component of the South African legal system, and therefore requires a specialized and formal approach which is offered in this module. Furthermore, students will be exposed to the developments within the customary legal system and how it adapts itself towards constitutional transformation. This module is also relevant to equip students with skill to resolve and analyze disputes arising from customary law according to customary law processes and mechanisms applicable in the court of law. The major themes covered in this module are: Nature and concept of customary law, application and ascertainment of customary law in courts, customary marriages, traditional leadership and customary law of succession.

Information and Communications Technology Law (ICT 4631)

ICT 4631 is a 10 credit fourth year elective module offered in the second semester at NQF level 8. The course exposes students to the legal regulatory framework for Information technology, Communications technology, Cyberlaw, E-law and Internet law. ICT affects contract law, consumer protection law, criminal law, patent law, copyright law, trade mark law, intellectual property law, banking law, privacy and data protection law, freedom of expression law, tax law, telecommunications law, labour law and the law of evidence. This course includes a study of the POPI Act (Protection of Personal Information Act 4 of 2013), the ECT Act (Electronic and Communications and Transactions Act 25 of 2002), and the Cyber Bill (Cybercrimes and Cybersecurity Bill of 2015).

Introduction to the Theory of Law 1541 (INT 1541)

INT 1541 is a 10 credit first year module offered in the first semester at NQF level 5. The module provides an introduction to most modules in the LLB curriculum. The purpose of this module is to introduce students to the history, theory and practice of law as well as legal skills. It imparts critical contextual knowledge in the law discipline and initiates students into the different aspects of the law and their classifications. Students are also trained how to search for legal materials in the law library. Major themes covered in this module are: the law, history of South African law, sources of law and legal authority, classification of the law, law and the business world, law of evidence, courts and alternative dispute resolution, the legal profession, the Constitution, human rights.

Jurisprudence 3641 (JUR 3641)

JUR 3641 is a 12 credit third year module offered in the second semester at NQF level 7. Jurisprudence is the philosophy or theory of law and as a subject, it overlaps with sister disciplines in the social sciences such as philosophy, politics, sociology, economics, anthropology and so on. It is devoted to the study of thoughts about the nature of law, and this module explores the thinking of legal philosophers about law, from classical Natural Law theory to contemporary legal theorists. The module covers the different theories of law: Natural Law, Legal Positivism, American and Scandinavian Legal Realism, Historical Legal Theory, African Legal Philosophy. The module also introduces students to more recent critical movements in Jurisprudence particularly, Critical Legal Studies, Feminist Legal theory, and the Third World Approach to International Law (TWAIL). The module explores Rawls' Theory of Justice and contextualises the subject in the South African setting and its relevance in addressing "hard cases" manifested in selected contemporary problems of society including protests, religion, euthanasia, abortion, the death penalty, sexual orientation, xenophobia; entrenching the rule of law and transformative constitutionalism.

Legal Communication Skills 3641 (LCS 3641)

LCS 3641 is a 12 credit third year module offered in the second semester at NQF level 7. This course is designed to enable students to effectively communicate in both the world of legal academia and legal practice. This course provides students with the necessary tools to master legal communication skills in moot and actual court settings, as well as the writing skills necessary to successfully complete their LLB Research Paper in fourth year. Topics canvassed include abstract writing, literature reviews, the drafting of heads of arguments, court etiquette, the presentation of oral (*viva voce*) arguments and so forth.

Legal Ethics 3541 (LET 3541)

LET 3541 is a 10 credit third year module offered in the first semester at NQF level 7. It highlights moral judgment and social responsibilities demanded from lawyers, specifically in the context of transformative constitutionalism, social justice, access to justice, and African moral theory and ethics. This course imparts an understanding of the theories of ethical lawyering with lawyers' practice and application of the rules of professional ethics of the legal profession. Themes covered are, Philosophical bases for ethical decision-making, Traditional approach to legal ethics and the South African legal profession, Role morality, the Process of ethical decision-making and situational and dispositional Variables, and Ethics in criminal justice.

Legal Research Methodology 1641 (LRM 1641)

LRM 1641 is a 10 credit first year module offered in the second semester at NQF level 5. The course imparts basic reading, summarising and referencing skills. It recaptures the origin and location of the various primary and secondary sources of South African law, using Juta and Butterworths research indexes for researching case law. Practical training in how to access South African law, both in printed and e-format (on-line) are included.

Legal Research & Writing Skills 2641 (LRW 2641)

LRW 2641 is a 12 credit third year module offered in the second semester at NQF level 7. The module explains how to identify relevant/appropriate authority/law and how to locate and utilise the primary and secondary sources of South African law. Students do independent legal research to appreciate the interaction between statutes and cases. How to present a written discussion in standard legal documents such as memos, affidavits, briefs, fatal accident claim, etc., and how to write law review articles, seminar papers, and research proposals, and how to answer problem questions in law are all covered.

Street Law 4531 (STL 4531)

STL 4531 is a 10 credit fourth year elective module offered in the first semester at NQF level 8. In STL 4531 students gain an in-depth understanding of the fundamental principles and values underlying our constitution, and practical understanding of law and the legal system. Students improve their basic skills *re* critical thinking and reasoning, communication, observation and problem solving.

Street Law 4631 (STL 4631)

STL 4631 is a 10 credit fourth year elective module offered in the second semester at NQF level 8. In STL 4631 specific constitutional rights and how their violation can be remediated are critically interrogated. Students are furthermore exposed to the practical transference of acquired knowledge during arranged community outreach events.

7.4 Department of Mercantile Law

Alternative Dispute Resolution 4531 (ADR 4531)

ADR 4531 is a 10 credit fourth year elective module offered in the first semester at NQF level 8. Alternative Dispute Resolution focus on the use of alternative dispute resolution mechanisms in resolving disputes rather than resorting to traditional court-based litigation. This module covers negotiation, mediation, arbitration, ombudsmen and administrative dispute

resolution. The skills, techniques and relevant statutory framework for each field of alternative dispute resolution are discussed, and local and international examples of the application of the relevant principles are provided. Arbitration awards, the review process as well as the various ombudsman processes are also covered.

Commercial Law 1541 (COL 1541)

COL 1541 is a 12 credit first year module offered in the first semester at NQF level 5. The primary purpose of this course is to gain introductory knowledge, research skills and competence in commercial law, for continued personal intellectual growth, gainful economic activity and valuable contribution to society. This course seeks, *inter alia*, to introduce non-law students to the fundamental principles relating to commercial law and to develop their understanding thereof. The significant role of the courts and their judgments is stressed without referring to specific cases. The selection of topics dealt with in the prescribed textbook and the extent of their discussion has been influenced by the syllabus for law services course of the Independent Regulatory Board of Auditors and the syllabus for basic law courses of the Institute of Bankers. On successful completion of the course, students will be able to apply the relevant general principles in commercial practice. The principles of the law of contract dealt with in this course have been simplified to make an understanding of the practical application of those principles easier. It is important for students to know how to apply those basic principles, to appreciate their consequences and to be able to identify certain basic concepts in daily as well as working life.

Commercial Law 1642 (COL 1642)

COL 1642 is a 12 credit first year module offered in the second semester at NQF level 5. The module focuses on the law relating contracts of sale, lease agreements, credit agreements and also the law of insurance. The module builds on the on the introductory knowledge regarding contractual capacity that is imparted in the first semester course, COL 1541. It introduces the students to common business concepts they will encounter in the commercial world. Upon completion of the course a student is expected to identify parties to the contracts stated above and the rights and duties that arise from the said contracts.

Commercial Law 2541 (COL 2541)

COL 2541 is a 12 credit second year module offered in the first semester at NQF level 6. The module focuses on the law relating to agency, insolvency, negotiable instruments, aspects of labour law, intellectual property law and real security. These topics are very relevant to every business in South Africa and knowledge of them is crucial for business. Intellectual property is included here due its value as an asset which can be used as security to finance business transactions. For the other topics, the focus is on the legal rules that apply to each one them, with demonstrable examples of the application of the legal rules in a business/commercial context. By the end of the course, students should have an appreciation of the importance of the selected topics to business persons in South Africa and how creditors can best secure themselves in the event of non-payment by debtors and the risk of insolvency of the persons of business people and the liquidation of their companies.

Commercial Law 2641 (COL 2641)

COL 2641 is a 12 credit second year module offered in the second semester at NQF level 6. Broadly, this course deals with the legal principles that apply and are relevant to several forms of business entities in South Africa. It familiarizes learners with the various business entities that can be found in the commercial scene in South Africa and the legal principles that apply to each one of them. Upon completion of the course, the students should have a broad overview of the legal principles relating to partnerships, business trusts, companies, close corporations; and cooperatives and be able to apply the legal principles to the commercial or accounting professions. The primary focus is on the legal rules that apply to each of the forms of business together with the application of the rules to given problem scenarios in order to recommend the most appropriate form of business to a given situation. The course also focusses on the management and dissolution of the different forms and how the interests of stakeholders in each form of business are taken care of.

Competition Law 4631 (CPL 4631)

CPL 4631 is a 10 credit fourth year elective module offered in the second semester at NQF level 8. CPL 4631 introduces students to the fundamental principles of South African competition law. It starts with an introduction to the economics and policy objectives of competition law and policy against the backdrop of developments in the US and EU. It concentrates on exploring key provisions of the Competition Act 1998 from restrictive horizontal practices, restrictive vertical practices, abuse of dominance, mergers, enforcement and competition law and the Constitution. In addition to considering public law competition, the module will also deal with private competition law. Issues such as liability for unlawful competition, recognized forms of unlawful competition as well as aspects of the Companies Act 2008 and the Trade Marks Act are covered.

Intellectual Property Law (IPL 4631)

IPL 4631 is a 10 credit fourth year elective module offered in the second semester at NQF level 8. The module deals with the legal rules regulating various forms of intellectual property rights and their practical application. Using an International, African and South African approach, the course exposes students to the nature of intellectual property rights, their acquisition, transfer and litigation. The module intends equipping students with sound knowledge, skills and applied competences in the law of patents, industrial designs, trade- marks, copyright, geographical indications, trade secrets, plant breeders' rights and Constitutional aspects of Intellectual property (IP). In addition, the module exposes students to the international and treaty framework of (IP) regulation under the World Trade Organization (WTO), Trade Related aspects of Intellectual Property Rights (TRIPS), World Intellectual Property Organization (WIPO) and African regional arrangements such as the African Regional Intellectual Property Organization (ARIPO) and its French counterpart, the Organisation Africaine de la Propriété Intellectuelle (OAPI).

International Trade Law (ITL 4531)

ITL 4531 is a 10 credit fourth year elective module offered in the first semester at NQF level 8. The module primarily focuses on the legal rules that apply to the regulation of international trade in goods and services under the auspices of the World Trade Organization (WTO) including trade-related aspects of intellectual property rights. Additionally, the course also deals with the law relating to international financial institutions and the regulation of international investments. The major themes investigated are: the legal structure of the WTO; institutional and governance structure of the WTO; rules of international trade in goods and their exceptions; the prohibition of discrimination in international trade; rules of market access; General Agreement on Trade in Services (GATS); Agreement on Trade-Related aspects of Intellectual Property Rights (TRIPS); trade remedies; South African law of international trade, including selected aspects of customs law; trade-related investment measures; international trade and African regional economic communities; contemporary issues in international trade; dispute settlement including alternative dispute resolution; the settlement of trade-investment disputes under the International Centre for the Settlement of Investment Disputes (ICSID).

Labour Law 2541 (LAB 2541)

LAB 2541 is a 12 credit second year module offered in the first semester at NQF level 6. LAB 2541 aims to give students an understanding of South African labour law. The historical background is covered which explains the common law, the sources labour law rules, lexical order of sources and rules. The next major topic is the common-law contract of employment covering the concept of employment contract as distinguished from any other type of contracts, the nature of employment contract with special emphasis upon the all-encompassing duty of mutual trust and confidence placed upon the employer and employee, remedies of breach, termination of the contract of employment and the employer's delictual liability.

Labour Law 2641 (LAB 2641)

LAB 2641 is a 12 credit second year module offered in the second semester at NQF level 6. In LAB 2641 three core themes are addressed: Social legislation, Individual labour law and Labour management relations. Social legislation deals with all facets the Basic Conditions of Employment Act 75, Employment Equity Act 55 of 1998, Unemployment Insurance Act of 2001, Compensation for Occupational Injuries and Diseases Act 130 of 1993, Occupational Health and Safety Act 85 of 1993 as well as Skills development. Individual labour law turns attention on dismissals, unfair labour practice and dispute resolution. Labour management addresses key aspect of collective labour law from the role of workplace forums, collective bargaining, strikes and lock-outs.

Labour Law 3541 (LAB 3541)

LAB 3541 is a 12 credit third year module offered in the first semester at NQF level 7. This module aims to give students a thorough understanding of the principles of labour law. It starts by placing labour law in context: The transformation of work, constitutional and statutory matrix. Major themes include the contract of employment and individual employment relationship, the law of unfair dismissal, unfair labour practice, collective bargaining and strike law, and dispute resolution.

Law of Banking & Payments (LBP 4641)

LBP 4641 is a 12 credit fourth year module offered in the second semester at NQF level 8. LBP 4641 is divided into two sections:

Section A: Banking Law

Students are introduced to the fundamental principles relating to Banking Law and to develop their understanding thereof. The other purpose of the course is to provide South Africa and the global community with students skilled in the legal aspects of Banking Law to ensure that the leadership base of innovative and knowledge –based economic and scholarly activity is widened. The significant role of the courts and their judgments is stressed with emphasis to specific cases. The selection of topics dealt with in this course and the extent of their discussion has been influenced by the students' syllabus and the need to meet requirements of their curriculum. On successful completion of the course, students will be able to apply the relevant general principles in the Banking Law field practice.

Section B: Payments

Students are introduced to the law of negotiable instruments in South Africa and the application of the Bills of Exchange Act of 1964, as amended; letters of credit and credit cards, fundamental principles relating to relevant payment documents and to develop their understanding thereof. The other purpose of the course is to provide South Africa and the global community with students skilled in the legal aspects of Banking and Payment Law. Finally, demonstrate an understanding of the world as a set of related systems by recognizing the different problem-solving contexts.

Law of Business Entities 4541 (LBE 4541)

LBE 4541 is a 12 credit fourth year module offered in the first semester at NQF level 8. LBE 4541 module covers the various business structures that are recognized under the South African law such as the sole trader, partnership, company, close corporation and business trust. The objective of the module is to introduce the student to the general principles of business entities and to sufficiently equip the student in such a manner as would enable him/her to further explore those principles at a higher level. This will be done through the definition to the essential distinctions between different types of business entities. The discussions on the specific types of business entities is practically illustrated to give the student clear insight into the functioning of the various business organisations; how they are formed, managed and dissolved.

Law of Insolvency 3641 (LNS 3641)

LNS 3641 is a 12 credit third year module offered in the second semester at NQF level 7. The course has three major aspects, namely, the insolvency of natural persons, the liquidation of companies and close corporations and cross-border insolvency. The course focusses on definitional and conceptual aspects of insolvency, starting with the ordinary and legal meaning

of insolvency. Aspects relating to obtaining a sequestration order through voluntary surrender and compulsory sequestration are also dealt with. After explaining the processes of obtaining a sequestration order, the effects of insolvency are investigated. The course also looks at the appointment of a trustee and the investigation of the affairs of the insolvent before dealing with meetings of creditors and the ranking of their claims. Composition and rehabilitation also form an important part of the course before constitutional aspects of insolvency law are dealt with. The course closes with a focus on the liquidation of companies and close corporations before cursorily dealing with aspects of cross-border insolvency.

Law of Insurance 4531 (LIS 4531)

LIS 4531 is a 10 credit fourth year elective module offered in the first semester at NQF level 8. The purpose of this module is to provide insight into the relevance of insurance, its regulatory context, and the applicable legal principles in the context of the current Constitution. Various forms of insurance are considered and the relevant statutory provisions. It explores concepts such as insurable interest; misrepresentation and disclosure; risk and its limitations; warranties and their import in insurance; subrogation and salvage. The module also deals with what and how performance is constituted, the various ways in which insurers limit their liability and how an insurance contract can be terminated.

Sale and Lease 3541 (SAL 3541)

SAL 3541 is a 12 credit third year module offered in the first semester at NQF level 7. Half of the module is dedicated to the Law of Sale and the other half to the Law of Lease. The purpose of the module is to provide insight into the nature and function of both the law of sale and that of lease. The module also provides perspective on the application of principles of obligations, legal liability and legal claims within the context of the Law of Sale and of Lease. Relevant statutory provisions are also considered.

Commercial Law 1541 (SCO1541)

SCO 1541 is a 12 credit first year module offered in the first semester at NQF level 5. The module is offered in the Thuthuka programme in the School of Management Sciences by the School of Law. Commercial Law in the first semester deals with legal principles applied in the business world. Of cardinal importance is the law of contract and the various forms of contracts that businesses deal with on a daily basis such as the law of contract, sale, credit agreements, surety and lease. Upon the completion of the course students in addition to understanding the rights and duties of parties to a contract as well as specific contracts, must have a broad overview of the legal principles of contract including those of specific contracts and be able to apply these principles in the accounting practice.

Commercial Law 1641 (SCO1641)

SCO 1641 is a 12 credit first year module offered in the second semester at NQF level 5. The module is offered in the Thuthuka programme in the School of Management Sciences by the School of Law. Commercial law in the second semester deals with the legal principles applied in the world of business. Of cardinal importance are the various forms of contract that businesses deal with such as the contract of agency, corporations, partnership, the law of negotiable instruments and insolvency. Upon the completion of the course students in addition to understanding the rights and duties of parties to the specific contracts must have a broad overview of the legal principles of specific contracts and be able to apply these principles in the accounting practice.

Tax Law 4631 (TXL 4631)

TXL 4631 is a 10 credit fourth year elective module offered in the second semester at NQF level 8. The primary purpose of this course is to gain introductory knowledge, research skills and applied competence in the law relating to tax, for continued personal intellectual growth, gainful economic activity and valuable contributions to society. This Tax Law module seeks, *inter alia*, to introduce the students to the fundamental principles relating to this area of the law and to develop their understanding in the calculation of tax payable, gross income, allowable deductions, tax avoidance and capital gains tax. On successful completion of this

module, students will, specifically, be able to apply the relevant law on behalf of their clients in commercial practice (natural and juristic persons) or as state officials / government employees and generally play an important role in the process of taxation. Students must have a grasp of the following concepts or topics which must be illustrated by practical examples and buttressed by case law where applicable – Direct and indirect taxation; Normal tax and taxable income; Gross income as defined in the Income Tax Act as amended and particular attention must be paid to the components of this definition; Double tax treaty; Deemed source; Intention with which the taxpayer acquires an asset determines whether it is capital or revenue; Section 82 onus and the factors that the court will take into consideration in a dispute of whether an asset is capital or revenue; Trade, as defined in the Act; Requirements of section 11(a) of the Act read with section 23(g); expenditure; Tax avoidance versus tax evasion; Connected persons as defined in the Act; Persons liable for capital gains tax (CGT); Capital gain and capital loss; Deemed disposals and deemed acquisitions; married in community of property and disposals to and from a deceased estate; and The assets not deemed to have been disposed of on the death of the deceased and the principles applicable where the deceased estate disposes of the assets.

7.5 Department of Private Law

Administration of Estates 4531 (ADE 4531)

ADE 4531 is a 10 credit fourth year elective module offered in the first semester at NQF level 8. The module is geared towards those students who plan to specialize in the Administration of Estates and is a practical module. The topics covered include - taking instruction to administer the estate; First consultation with family members; Reporting the estate; Notice to creditors and opening of an estate banking account; Gathering of information, valuations balance certificates; Drafting the liquidation and distribution account; Queries by the Master; The inspection period; Finalization of the estate after the expiry of the inspection period; Final requirements and Filing notice.

Conflict of Laws 4631 (COF 4631)

COF 4631 is a 10 credit fourth year elective module offered in the second semester at NQF level 8. The module introduces the student to the essence of conflict of laws which is in some jurisdictions referred to as Private International Law. Students will understand when issues of conflict arise. How the conflict situations are resolved. Which court has jurisdiction where disputes cut across two or more jurisdictions. Which laws should apply in a conflict situation. How foreign judgments are enforced. What substantive law should apply, and what effects or recognition should be given to decisions taken, or legal acts accomplished, in accordance with other legal systems.

Law of Contract 2541 (CRT 2541)

CRT 2541 is a 12 credit second year module offered in the first semester at NQF level 6. The module deals with the basic principles of the Law of Contract. The scope covered includes the requirements for a valid contract, the contents and operations of specific contracts are illustrated, enforcement of contract, termination of contract and remedies available to parties for a breach of contractual obligations.

Law of Delict 3641 (DLT 3641)

DLT 3641 is a 12 credit second year module offered in the second semester at NQF level 7. The module introduces the student to the general principles of delict. It buttresses the essential distinctions between delict and similar cure law subjects. The module emphasizes the concept of delictual wrong as the basis of legal claims and portrays the constitutional impacts as embodied in the Bill of Rights in strengthening the common law and Roman-Dutch principles of delict in South Africa.

Family Law 1641 (FAM 1641)

FAM 1641 is a 12 credit first year module offered in the second semester at NQF level 5. This course imparts a detailed understanding of the core principles and various impact areas of

South African Family Law. It advocates an awareness of transformative constitutionalism and the development of Family Law under transformative constitutionalism. The course addresses the formation of various cohabitation and marriage forms, the validity requirements for each kind of marriage, the various matrimonial property systems, the grounds and consequences of dissolution of marriage, and miscellaneous consequences of marriage and cohabitation.

Law of Damages 4531 (LOD 4531)

LOD 4531 is a 10 credit fourth year elective module offered in the first semester at NQF level 8. Law of Damages broadly deals with the principles underpinning the quantification of damages claimed in a court of law. The following topics are covered – definition, nature and scope, object, systematics, sources, history and terminology of the law of damages. The concept of damages; The nature, causing and forms of patrimonial loss; The assessment of patrimonial loss; The nature and assessment of non-patrimonial loss (injury to personality); Prospective damage and *lucrum cessans*; The 'once and for all' rule and causes of action; The nature, assessment, object and form of damages for patrimonial loss; The forms, nature and object of damages and satisfaction in the case of non-patrimonial loss (injury to personality); The collateral source rule and compensating advantages (*res inter alios acta*); Miscellaneous principles regarding recovery of damages and satisfaction; Damages in specific cases of breach of contract; Damages and satisfaction in certain forms of delict; The quantum of damages for patrimonial loss caused by certain forms of delict; The quantum of damages for patrimonial loss caused by bodily injury, death or the infringement of personality rights; The quantum of damages and satisfaction for non-patrimonial loss (injury to personality); Procedural matters, costs etc, and private international law.

Law of Persons 1541 (PER 1541)

PER 1541 is a 12 credit first year module offered in the first semester at NQF level 5. This module forms the basis for all other Private Law modules. This course addresses the importance of the Law of Persons in the wider legal system through comprehensive study of the basic principles underlying legal subjectivity. It explains the concept of legal status and how the status of a natural person may be influenced by factors such as domicile, age, mental illness, prodigality and birth. It also includes discussions on transformative Constitutionalism and how it has impacted on legislative reform and children's rights.

Law of Property 2541 (PRO 2541)

PRO 2541 is a 12 credit second year module offered in the first semester at NQF level 6. The module deals with basic concepts, definitions and sources of property law; Definition and classification of things; real and personal rights; The changing nature of ownership; acquisition and protection of, and limits on, ownership; limited real rights (possession and servitudes); and Constitutional protection of property and legislative limits on ownership, including land reform and environmental law.

Law of Succession 2641 (SUC 2641)

SUC 2641 is a 12 credit second year module offered in the second semester at NQF level 6. The scope and content of the law of succession deals with the capacity to inherit; Testate and intestate succession; Freedom of testation and its restrictions; Drafting and content of wills; Interpretation and rectification of wills and an introduction to the principles of Administration of Estates.

7.6 Department of Public Law

Administrative Law 3541 (ADL 3541)

ADL 3541 is a 12 credit third year module offered in the first semester at NQF level 7. Administrative Law encompasses the study of the substantive and procedural rules of administrative justice and judicial review in the purview of South Africa's constitutional democracy. The Promotion of Administrative Justice Act 3 of 2000 and subsequent case law underscores the bulk of the course content. Within this paradigm, Administrative Law is studied

as an indispensable and pertinent field at the forefront of transformative constitutionalism and an indispensable component of justiciable human rights, canvassing topics such as administrative bodies, legislative reform, the different pathways to review, standing, procedure and so forth.

Constitutional Law 2541 (CAL 2541)

CAL 2541 is a 12 credit second year module offered in the first semester at NQF level 6. The course introduces students to crucial concepts of constitutional law. The Constitution of the Republic of South Africa, 1996, forms the main point of reference in this course. A comprehension of the key constitutional concepts is geared towards equipping students with the necessary knowledge and skills to address contemporary issues relevant to South Africa's constitutional dispensation. Such an understanding will also help students view South Africa's constitution within the broader constitutional legal framework across the globe, in particular, being able to compare South Africa's Constitution with other constitutions. Students will also be introduced to South Africa's Bill of Rights, the principles anchored in South Africa's Constitutional regime as well as the application and interpretation of the Bill of Rights. The course ushers in a framework for transformative constitutionalism, a golden thread that runs through other courses within the school of law.

Gender and the Law 4531 (GEL 4531)

GEL 4631 is a 10 credit fourth year elective module offered in the first semester at NQF level 8. It is believed that students will find the course rewarding and beneficial as Gender and the Law challenges long-held normative beliefs and assumption of law as a gender-free zone. It offers a fresh take on the relationship between gender and law in order to challenge and engage it with a view to propose different solutions. Gender and Law will equip students with both theoretical and practical skills on how to apply concepts of gender equality to the law by introducing them to feminist concepts and arguments and to a wealth of local, comparative and international material on gender and the law. As a result, it will illustrate how the law may be shaped to transform the social, cultural and economic conditions of women's lives in South Africa and at the same time acknowledging the limits of legal strategies for change.

Human Rights Law 2641 (HRL 2641)

HRL 2641 is a 12 credit second year module offered in the second semester at NQF level 6. The purpose of HRL 2641 is to equip students with detailed knowledge and an understanding of key terms, concepts, principles, rules and theories relevant to the fields of international human rights and South African fundamental rights respectively, and an understanding of how that knowledge and different theories regarding fundamental rights have evolved over time to inform legal practice as we know it today. After completion of this module, students should be able to demonstrate the ability to distinguish, analyse and solve South African fundamental rights related problems in unfamiliar contexts and to apply those solutions to support the development of a South African fundamental rights culture while understanding the ethical implications related to the implementation of those solutions in practice. In order to equip students with these skills, the module encompasses substantive law, South African human rights, chapter nine institutions, international human rights instruments and regional human rights instruments which students are expected to familiarize themselves with. Furthermore, students should be knowledgeable on the application, monitoring, adjudication and implementation of human rights.

Interpretation of Statutes 2541 (IST 2541)

IST 2541 is a 10 credit second year module offered in the first semester at NQF level 6. Since all courses offered during the LLB program have aspects of legal interpretation, this course sets the pace for this task and prepares students to apply the concepts in regard to other courses. The course equips students with the skills and knowledge to read and work with case law, understand and explain judicial precedent, interpret the meaning of legislative provisions by applying the rules of statutory interpretation, understand and explain constitutional interpretation, deconstruct and explain legal reasoning and to write clear and concise legal arguments.

Moot Court 4531 (MTC 4531)

MTC 4531 is a 10 credit fourth year elective module offered in the first semester at NQF level 8. Moot Court is designed to foster in depth practical advocacy skills to the few students who enroll for it. Students practice criminal litigation through mock trials that they must conduct before practicing presiding officers. Emphasis is placed on teaching the students the stages of a trial, i.e. how to conduct examination in chief, how to cross examine and how to make closing arguments. The module also employs hypothetical scenarios and facts to advance the practice civil litigation. The student's reasoning and analytical abilities are tested as one has to identify the legal issues and how to apply the law to the facts at hand.

Planning and Environmental Law 2541 and 4531 (PEL 2541 and PEL 4531)

PEL 4531 is a 10 credit fourth year elective module offered in the first semester at NQF level 8. (It is also offered as PEL 2541, a service module to the Planning and Environmental Sciences students in the School of Environmental Sciences). In the main, the course emphasizes the legal framework for environmental protection and management as it has evolved in South Africa. In particular, it focuses on the legal norms and standards, constitutional framework and jurisprudential basis for the administration and enforcement of environmental law in South Africa. Students are also exposed to key constitutional principles that govern the protection and management of the environment as well as selected topics such as water law, biodiversity and conservation, pollution, land use and planning, including contemporary issues such as climate change. Students will read excerpts from cases and legislation, where appropriate. It is intended that this course will help to sharpen students' reading, writing, and more importantly, analytical thinking skills.

Public International Law 4541 (PIL 4541)

PIL 4541 is a 12 credit fourth year module offered in the first semester at NQF level 8. PIL is about binding rules and principles between states in their relations with one and another. The module intends equipping students with knowledge of international law including the sources of international law, the relationship between international and domestic law, treaties, jurisdiction of international crimes, maintenance of international peace, use of force, international human rights and international criminal law.

Social Security Law 4631 (SSL 4631)

SSL 4631 is a 10 credit fourth year elective module offered in the second semester at NQF level 8. SSL is about the right to social security and different measures available for different contingencies in South Africa. SSL deals with, among other issues, the nature, extent and scope of social security; the role played by the Constitution, the courts and International Labour Organisation (ILO) in developing social security; It also equips students with the knowledge and application of laws dealing with different strands of social security, for instance; social assistance, social insurance, social compensation, social relief, social upliftment and so on.

PLEASE NOTE:**Research Project 4041 (RSP 4041)**

RSP 4041 is a 30 credit fourth year module offered as a year module at NQF level 8. It is compulsory for all LLB students and is offered by all departments. Only final year LLB students may register for this module. The module requires the writing of a mini-dissertation on a particular topic agreed upon between a student and a supervisor.