

Kovsies

2017



FACULTY OF Law

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





Faculty of Law



*“After more than 30 years in practice, this still seems to be the right career choice.”
– Extraordinary Professor, Honourable Judge SPB Hancke.*

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

DEAN: PROF CMA NICHOLSON

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

WHY STUDY LAW AT KOVSIES?

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

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

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

The faculty hosts two specialised centres, namely the Centre for Business Law, and the Centre for Financial Planning Law.

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



ADMISSION REQUIREMENTS

Abbreviations: NSC – National Senior Certificate
AP – Admission Point

FIRST DEGREE	MINIMUM PERIOD OF STUDY	MINIMUM ADMISSION REQUIREMENTS
LLB	Four years	<ul style="list-style-type: none"> NSC and an AP of at least 33 points Language of instruction on level 6 (70%) Mathematical Literacy on level 6 (70%) or level 4 (50%) in Mathematics
LLB	Five years	<ul style="list-style-type: none"> NSC and an AP of at least 28 points Language of instruction on level 4 (50%)
B Jur: Financial Planning Law	Three years	<ul style="list-style-type: none"> NSC and an AP of at least 33 points Language of instruction on level 6 (70%) Mathematical Literacy on level 6 (70%) or level 4 (50%) in Mathematics
POSTGRADUATE	MINIMUM PERIOD OF STUDY	MINIMUM ADMISSION REQUIREMENTS
LLM	A minimum of one year preceded by the LLB	(Structured or dissertation) Selection: minimum of 60% in every module in LLB degree
PhD		Must be in possession of LLM degree (must have achieved 65% in LLM)
LLD		Must be in possession of LLM degree (must have achieved 65% in LLM)

Admission requirements are subject to change

Contact details: Tel: +27 (0)51 401 2451 • 401 9777 • Fax: +27 (0)51 401 3043
Email: law@ufs.ac.za • Website: www.ufs.ac.za/law



E-LEARNING IN THE FACULTY OF LAW

The E-Learning division of the Faculty of Law handles the management of teaching and learning of the off-campus students of the faculty. E-Learning studies are especially ideal for working students, residing outside of Bloemfontein and/or not able to attend physical classes.

The following programmes are available on E-Learning:

LLB (4 year curriculum)
B Juris with endorsement Financial Planning Law

For more information please contact:

Mrs Cronette Nel: Tel: +27 (0)51 401 2433 • Email: NelC1@ufs.ac.za
Mr Vernol Van Der Ross: Tel: +27 (0)51 401 3532 • Email: VanDerRossRV@ufs.ac.za

CAREER OPPORTUNITIES

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

Career opportunities and employers include:

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



Mercantile Law

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

Specific modules in Mercantile Law include, among others:

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

Permanent lecturing staff:

Prof E Snyman-Van Deventer: Head of Department • Tel: 051 401 2268
Ms M Conradie • Mr PS Brits • Ms LM Jacobs • Ms L Fourie • Dr DM Smit
Ms BM Rametse • Mr FQ Cilliers • Dr HJ Moolman • Ms G du Toit • Ms L Makapela

Private Law

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

- Family Law, in which students learn more about engagements, the Marriages Act, community of property and the general principles applicable to divorce and child maintenance and custody.

- Law of Persons, where students obtain knowledge of legal subjects and their origin and status – this refers to when the law will recognise you as a living person who is capable of concluding transactions.
- Law of Succession and Administration of Estates deals with the contents of wills, how people inherit when there is no will and the administration of the estates of deceased persons.
- Law of Property, in which students learn about the difference between possession and ownership, and what it means to be the holder of a right in property – also in terms of the Constitution.
- The Law of Delict, which deals with the negligent or purposeful causation of damage and the remedies available to the wronged party.
- The Law of Contract is one of the most important courses in legal studies and is studied extensively to prepare students for practice.
- Private Law further encompasses such fields as Enrichment, Estoppel, Insurance Law, Road Accident Fund, Sectional Title, Law of Damages and the Law of Trusts.

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

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

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

Permanent lecturing staff:

Dr NJB Claassen: Head of Department • Tel: 051 401 2697
Prof GH Fick • Prof R-M Jansen • Prof BS Smith • Ms JG Horn • Mr JT Faber • Mr KL Mould
Ms C Müller-Van der Westhuizen • Ms AZT Mkhonza

Public Law

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

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

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

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

Procedural law focuses mainly on the procedures followed to enforce the law and it forms part of the formal law.

Modules within this discipline include:

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

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

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

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

Permanent lecturing staff:

Prof CF Swanepoel: Head of Department • Tel: 051 401 3458

Dr JM Reyneke • Adv IJ Bezuidenhout • Dr J-M Visser • Prof JL Pretorius • Prof SA de Freitas • Ms GA du Plessis • Mr A Nell • Mr C Vinti • Dr ON Fuo • Dr R Botha • Prof HB Kruger • Prof H Oosthuizen • Prof T Verschoor



Photo: Eugene Seegers



Centre for Financial Planning Law

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

- Financial Planning Law (first year, first semester): The focus of this module is on the principles of financial planning and the regulatory environment within which financial planning takes place.
- Financial Planning Law (first year, second semester): Time value of money and legislation relevant to compliance in the financial services industry, together with personal risk management is dealt with in this module.
- Financial Planning Law (second year, first semester): Medical schemes and investment instruments are the focus of this module with the goal on risk and investment planning.
- Financial Planning Law (second year, second semester): Tax is the core focus of this module with relevance to financial planning.
- Financial Planning Law (third year, first semester): Estate planning is the focus of this module.
- Financial Planning Law (third year, second semester): Retirement planning is the focus of this module.
- Financial Planning Practice (first year, first semester): The practical elements of the regulatory environment of financial planning, financial management and economics are dealt with.
- Financial Planning Practice (first year, second semester): The practical areas of personal risk and financial management are dealt with.
- Financial Planning Practice (second year, second semester): The practical elements of risk and investment planning are the focus of this module.
- Financial Planning Practice (third year, second semester): An integrated financial planning case study that encompasses all the elements of financial planning.
- Business Trust Law (third year, first semester): This module focuses on the uses and application of a trust in financial planning.
- Financial Planning Economics (first year, first semester): The basic principles, concepts and implications of micro-economics with regard to financial planning.
- Financial Planning Economics (first year, second semester): The basic principles, concepts and implications of macro-economics with regard to financial planning.

Permanent lecturing staff:

Adv SA Hyland: Director of the Centre • Tel: 051 401 2823

Dr L Alsemgeest • Ms H Steyn • Ms R van Zyl

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

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

I shall maintain high moral and ethical standards.

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

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

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

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

I shall maintain a high standard of integrity.

I shall act objectively, fairly and without bias.

I shall employ my working potential to the full.

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

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

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

Kovsies Open Day

BLOEMFONTEIN CAMPUS: 14 MAY 2016

- 08h30 – 9h30** Formal welcoming of the Class of 2017 AND their parents
Venue: Callie Human Centre
- 08h30 – 12h00** Prospective students and their parents visit faculties and exhibitions
10h30 – 11h30 Informal welcoming of the Class of 2017 (PROSPECTIVE STUDENTS ONLY)
Venue: Callie Human Centre
- 11h30 – 15h00** Prospective students visit faculties and exhibitions
8h30 – 15h00 Student Life Programme in front of Main Building

*Bring your application form and documents to the onsite application centre.
Follow the directions.*

QWAQWA CAMPUS: 21 MAY 2016

- 10h00 – 11h00** Formal welcoming of the Class of 2017 AND their parents
Venue: Rolihlahla Mandela Hall
- 10h00 – 15h00** Prospective students and their parents visit faculties and exhibitions

*Bring your application form and documents to the onsite application centre.
Follow the directions.*

For more information visit Facebook/Kovsie2b



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