

# UNIVERSITY OF THE FREE STATE

## FACULTY OF LAW

# 2019



ECONOMIC AND  
MANAGEMENT SCIENCES  
EKONOMIESE EN  
BESTUURSWETENSKAPPE  
UFS·UV



EDUCATION  
OPVOEDKUNDE  
UFS·UV



HEALTH SCIENCES  
GESONDHEIDSWETENSKAPPE  
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HUMANITIES  
GEESTESWETENSKAPPE  
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LAW  
REGSGELEERDHEID  
UFS·UV



NATURAL AND  
AGRICULTURAL SCIENCES  
NATUUR- EN  
LANDBOUWETENSKAPPE  
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THEOLOGY AND  
RELIGION  
TEOLOGIE EN  
RELIGIE  
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## FACULTY OF LAW

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

Welcome to the faculty.

*“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?**

The Faculty of Law is among the best in the country. Its location in the judicial capital, Bloemfontein, exposes Law students to the practice of law in both the lower and higher divisions of the courts. Close ties with the profession allow the faculty to share the expertise of judges and legal practitioners with students. The faculty is proud of its high academic standards and its commitment to the constant improvement of its programmes.

The Faculty of Law is committed to excellence in teaching and to delivering jurists with qualifications of international renown to the professions. Legal education will open doors to a wide variety of career opportunities, including the advocates' profession, attorneys' profession, legal advising, labour consulting, prosecuting, magistrates' professions, and positions in the insurance and banking industries.

The faculty is known for outstanding and relevant research, and is also involved with community projects in which the UFS Law Clinic and several centres in the faculty play a major role.

The faculty enjoys close ties with several international law schools and law faculties, especially in Britain, Europe, and the USA. The faculty is also proud of its alumni association of former law students who remain loyal to the faculty.

Enquiries: Courtley Pharoah +27 51 401 2735 | PharoahCD@ufs.ac.za

Hanlie Grobler: +27 51 401 9777 | GroblerH1@ufs.ac.za

Faculty Marketing Officer: Moleboheng Moshe-Bereng: +27 51 401 3764

MosheBerengMF@ufs.ac.za

# APPLICATION TO STUDY IN 2019

## BECOME A UFS STUDENT IN EIGHT STEPS

1

Apply online or in hard copy.

2

Your application form will be captured. You will receive a student number.

3

If you have not submitted the required documents, you will be requested to do so, in order to finalise your application.

4

If you have applied for a residence on campus, you will now receive correspondence from Housing and Residence Affairs.

5

If you are ultimately selected when the final Grade 12 results are released, you will receive final communication regarding your admission.

6

Five (5) days prior to registration early in 2019, you have to make a prepayment. Use your student number as a reference number.

7

Register early in 2019, before classes start.

8

Collect your study material and timetable after registration.

**REMEMBER TO WRITE THE NBTs**

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UFS FACULTY BOOKLET 2019



## IMPORTANT APPLICATION DATES

| Date              | Programmes for which applications open  |
|-------------------|---|
| 1 April 2018      | Applications to study any undergraduate programme offered on the Bloemfontein and Qwaqwa Campuses in 2019         |
| 1 September 2018  | Applications to study any University Access Programme (UAP) offered on the South Campus in 2019                   |
| Date              | Programmes for which applications close   |
| 30 September 2018 | Applications to study any of the two non-selection undergraduate programmes offered in the Faculty of Law in 2019 |



## APPLICATION TO STUDY AT THE UFS IS FREE

You can apply either online or in hard copy.

**ONLINE application:** Go to [www.ufs.ac.za](http://www.ufs.ac.za). Follow the link <https://apply.ufs.ac.za/> – online application. Proceed through all eight easy steps and submit your electronic application.

Upload copies of the following in PDF or JPEG format when you apply for undergraduate studies:

- Your ID or passport
- Your parent's ID or passport if you are younger than 18 years
- Your Grade 11 final results with the school's stamp
- Your Grade 12 June results with the school's stamp must be emailed to [studentadmin@ufs.ac.za](mailto:studentadmin@ufs.ac.za) as soon as they are available
- Your academic record only if you are a current student at another institution of higher learning
- USAf accreditation is the examination board for South African universities. Apply to [mb.usaf.ac.za](mailto:mb.usaf.ac.za) for conditional exemption, foreign conditional exemption, or mature age conditional exemption.

The online application is quick and easy – no hassle, no fuss!

It has a modern design and is mobile and tablet-friendly. You can apply using any device. You can expect a quicker response time if you apply online.

**HARD COPY application:** Go to [www.ufs.ac.za](http://www.ufs.ac.za). Follow the link 'how to apply' and download the application. Complete and sign the application, and mail it with all the relevant certified documentation to: The Application Office, PO Box 339, Bloemfontein 9300.

Remember to include copies of:

- Your ID or passport
- Your parent's ID or passport if you are younger than 18 years
- Your Grade 11 final results with the school's stamp
- Your Grade 12 June results, with the school's stamp, must be emailed to [studentadmin@ufs.ac.za](mailto:studentadmin@ufs.ac.za) as soon as they are available
- Your academic record, only if you are a current student at another institution of higher learning
- USAf accreditation where the examination body is not in South Africa. Apply to [mb.usaf.ac.za](mailto:mb.usaf.ac.za) for conditional exemption

For assistance, contact +27 51 401 9666 or [studentadmin@ufs.ac.za](mailto:studentadmin@ufs.ac.za)

## Confidentiality Clause

The UFS confirms that all personal information provided in your application form will be treated confidentially and will not be sold to a third party or used for commercial or related purposes. The UFS further confirms that your personal information will only be used for purposes relating to your potential relationship with the UFS as a student, including, but not limited to the processing of your application to study at the UFS, effecting registration at the UFS, and for any communication purposes related to your application and/or registration to study at the UFS.

## ADMISSION

Pay attention to the following important information:

- The UFS reserves the right to change the minimum requirements of each programme or any other information without notifying you.
- There are specific admission requirements that you should meet if you want to study at any South African university. If you finished school in or after 2008, and have a National Senior Certificate (NSC), you need the following to apply for admission to a Bachelor's degree at any South African university:
  - Four (4) of the seven (7) subjects included in your NSC subject package should be from the designated subject list
  - A performance level of at least 4 (50%) in each of these four (4) subjects
- All admission requirements apply to first-year students in 2019.
- Admission to study at the UFS is dependent on the following:
  - Your application should meet all the minimum requirements for the programme
  - The programme must have available space and capacity to admit students
  - You have to submit valid school results with your application

An admission point (AP) consisting of seven levels is used. Points will be awarded for six academic modules.

No points will be awarded for achievement levels lower than 30%:

| NSC Level | 7<br>(90–100)<br>% | 7<br>(80–89)<br>% | 6<br>(70–79)<br>% | 5<br>(60–69)<br>% | 4<br>(50–59)<br>% | 3<br>(40–49)<br>% | 2<br>(30–39)<br>% |
|-----------|--------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| UFS AP    | 8                  | 7                 | 6                 | 5                 | 4                 | 3                 | 2                 |

One point is awarded for Life Orientation (LO) from achievement level 5 (60%) or higher.

## FACULTY-SPECIFIC PROGRAMMES AND REQUIREMENTS

Abbreviations: From this point forward, we will use these abbreviations instead of the full terms:

- NSC: National Senior Certificate
- AP: Admission Point
- BC: Bloemfontein Campus
- QC: Qwaqwa Campus
- SC: South Campus in Bloemfontein
- AL: Academic Literacy Test
- QL: Quantitative Literacy Test
- MT: Mathematics Test
- N/A: Not Applicable

## THE FOLLOWING PROGRAMMES ARE PRESENTED ONLY ON THE BLOEMFONTEIN CAMPUS:

Contact details: +27 51 401 2451 | +27 51 401 9777 | Fax: +27 51 401 3043 | law@ufs.ac.za • www.ufs.ac.za/law



### LLB (Four-year curriculum) via E-learning

The E-learning division in the Faculty of Law handles the teaching and learning of distance-learning students in the faculty. Distance learning is especially ideal for working students residing outside of Bloemfontein, or students who are unable to attend classes physically. The faculty offers a distance-learning instructional model with an emphasis on e-learning teaching and learning activities. In addition to residential (on-campus) learning, the LLB (4-year curriculum) is also offered via E-learning.

Enquiries: Cronette Nel: +27 51 401 2433 | NelC1@ufs.ac.za  
Vernol van der Ross: +27 51 401 3532 | VanDerRossRV@ufs.ac.za

| Programme Description   |                    | Minimum Admission Requirements |                         |             |                       |                                    |
|---|--------------------|--------------------------------|-------------------------|-------------|-----------------------|------------------------------------|
| Programme   | Academic Plan Code | AP                             | Language of instruction | Mathematics | Mathematical Literacy | Compulsory National Benchmark Test |
| Bachelor of Laws (LLB) – Four years                               | 3302               | 33                             | 6 (70%)                 | 4 (50%)     | 6 (70%)               | AL, QL                             |
| Either Mathematics or Mathematical Literacy is required.          |                    |                                |                         |             |                       |                                    |
| Bachelor of Laws (LLB) Extended Curriculum Programme – Five years | 3303               | 28                             | 4 (50%)                 |             |                       | N/A                                |

Notwithstanding this, you can – at the recommendation of the Dean, be admitted to the first year of study in the **Extended Curriculum Programme** for the LLB (study code 3303) if you are:

- Firstly, in possession of an endorsed:
  - National Senior Certificate with an AP score of 25–27 points, and have successfully completed at least the first year of study of an Extended Curriculum Programme in another faculty without failing any module or
  - Senior Certificate (until 2007) with an M-score of 24–27 and have successfully completed at least the first year of study of an Extended Curriculum Programme in another faculty without failing any module.
- Secondly, have an M-score of less than 24 points or an AP score of less than 25 points, and have successfully completed the entire University Access Programme (UAP) with a final mark of 70% per module.
- Language of instruction includes English home language, Afrikaans home language, Afrikaans first additional language, and English first additional language in Grade 12.





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## CAREER OPPORTUNITIES



The Faculty of Law at the University of the Free State annually produces a number of sought-after graduates. 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. However, a legal qualification 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 Trademarks
- Commission for Conciliation, Mediation and Arbitration
- Directors of Public Protection (State advocates and prosecutors)
- Masters of the High Court
- Registrars of the High Court
- State attorneys
- Clerks of the Magistrate's Court
- Legal Aid Board
- South African Police Service
- Legal aid and Legal advice
- State legal adviser
- Law Clinics at universities.





## DEPARTMENTS



### 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, traveller's 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:

Head of Department: Dr HJ Moolman: +27 51 401 7084

Ms M Conradie | Mr PS Brits | Dr LM Jacobs | Ms L Fourie | Dr DM Smit | Ms BM Phore

Mr FQ Cilliers | Ms G du Toit | Prof E Snyman-Van Deventer | Adv MGB Mokone | Mr G Stopforth



### 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, 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 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:

Head of Department: Dr NJB Claassen: +27 51 401 2697

Ms M Bloem | Prof BS Smith | Ms JG Horn | Mr JT Faber | Mr KL Mould | Dr JL Matthee

Ms C Müller-Van der Westhuizen | Ms RP Senokoane

## PUBLIC LAW



### Criminal 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.

Modules in this field 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.

### Procedural Law and Law of Evidence

Procedural Law focuses mainly on the procedures followed to enforce the law and 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

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:

Head of Department: Prof CF Swanepoel: +27 51 401 3458

Dr JM Reyneke | Adv IJ Bezuidenhout | Dr J-M Visser | Prof SA de Freitas | Mr A Nell

Mr C Vinti | Dr R Botha | Mr EC Muller | Mr KB Motshabi | Dr L Prinsen | Dr M Marais | Mr R Ishmael



## SCHOOL OF FINANCIAL PLANNING LAW

The School of 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. The following Financial Planning programmes are presented:

- Postgraduate Diploma in Financial Planning
- Advanced Postgraduate Diploma in Financial Planning
- Advanced Diploma in Estate and Trust Administration

### Permanent lecturing staff:

Director of the School: Adv Shirley Hyland: +27 51 401 2823

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



# CODE OF ETHICS FOR LAW STUDENTS



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 that a certificate of good conduct, required for admission to all legal professions, is 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. It is important to study the Faculty Rulebook, available at [www.ufs.ac.za](http://www.ufs.ac.za), as the final and correct source.

This publication was compiled and produced by the Department of Marketing and Student Recruitment at the University of the Free State.

Wekkie Saayman Building  
Corner of Rector and Graduandi Avenues  
University of the Free State  
Bloemfontein  
9301









**Bloemfontein Campus**  
**12 May 2018**

**Qwaqwa Campus**  
**26 May 2018**



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