

FACULTY OF LAW

GENERAL INFORMATION

Bachelor of Laws

The Faculty of Law offers all the courses required for the LLB degree, and in addition offers courses for degree curricula in other faculties.

The Faculty offers the LLB in three streams:

1. A three-year LLB for graduate students

Students enter this stream after having completed any Bachelor's degree without law subjects, or with an insufficient number of law credits for a two-year programme.

2. A five-year combined Law and Humanities OR Law and Commerce OR Law and Science LLB stream

Students enter this stream with the intention of following an undergraduate programme in Law and Humanities OR Law and Commerce OR Law and Science leading to a BA/BSocSc or BCom/BBusSc or BSc and thereafter a two-year LLB. The objective of a broad-based education is achieved in this stream by including courses which ensure that the student has a thorough grasp of at least one discipline outside of Law. Students register for a BA, BSocSc, BCom, BBusSc or BSc in their first year of study and continue with that degree with Legal Theory as a major subject. Having obtained the first degree, students then register for the LLB, to be completed over two years. To do so they must have obtained sufficient law credits in the first degree, which is usually the case if they have majored in Legal Theory.

3. A four-year LLB stream

In their first year of university study students will be required to register in any one of the Faculties of Humanities, Science and Commerce, according to their subject choices. After their first year of study, students must choose between following a five-year curriculum (eg, BA or BCom LLB), or a four-year LLB curriculum.

Master of Laws, Doctor of Philosophy, and Doctor of Laws

A thesis on an approved topic must be submitted. The rules are the same as those for similar degrees in the other faculties.

RULES FOR DEGREES

See the General Rules applicable to all faculties. The rules that follow apply to the Faculty of Law only.

The following degrees may be awarded in the Faculty of Law:

Name	To be denoted by the letters
Bachelor of Laws	LLB
Master of Laws	LLM
Doctor of Philosophy	PhD
Doctor of Laws	LLD

DEGREE OF BACHELOR OF LAWS

L.1

Except as provided in Rules G.44 to G.46 of the General Rules and in Rule L.9 below, candidates shall not be awarded the degree unless they

1.1 have been registered for at least four years;

1.2 have completed the curriculum set out in L.4 below;

1.3 have performed satisfactorily in at least one moot in their final year of study.

L.2

2.1 The period of study for the degree shall be four years for candidates who are full-time students of the University and six years for candidates who are part-time students, e.g. who are in employment.

2.2 Subject to any exceptions approved by Senate, candidates may be allowed to qualify for the degree in three years, provided that they have no more than forty semester courses, or their equivalent, to complete during this period of three years.

2.3 Subject to any exceptions approved by Senate, candidates may be allowed to qualify for the degree in two years, provided that they have no more than thirty-two semester courses, or their equivalent, to complete during this period of two years.

2.4 The curriculum of candidates who during the course of their studies for their degrees change from full-time to part-time status, or vice versa, may be rearranged by the Dean.

L.3

3.1 Candidates are not admitted to the first year of the LLB degree and must first register in another faculty.

3.2 Normally candidates who do not have a degree may be admitted to the second year of study for the LLB degree (the four-year curriculum), provided that they have passed each of the law courses offered in their first year of study (Foundations of Law and Introduction to Law) with an average of 65% as well

as have obtained an overall average of 65% for three non-law courses studied in that year. (Students who do not meet these criteria must follow the five-year route.) Candidates who have completed more than one year of study must not only meet the first-year criteria, but must also have obtained an overall average of 65% for the subjects registered in the previous year of study.

3.3 Candidates who have a degree without any law credits, or with insufficient law credits, may be admitted to the second year of study for the LLB degree (the three-year curriculum), provided that they obtained 60% for their major subjects. Where a candidate has not met this requirement, the Dean of Law has the discretion to admit that person, on good cause shown and subject to availability of Faculty resources.

3.4 Candidates who have a degree with sufficient law credits may be admitted to the third year of study for the LLB degree (the two-year curriculum). Normally, and subject to availability of places, candidates who obtained at least 60% in their Legal Theory major will be admitted, as will candidates from other universities who obtained an average of at least 60% in their previous year of study. Where a candidate has not met these requirements, the Dean of Law has the discretion to admit that person, on good cause shown and subject to availability of Faculty resources. Preference will be given to those candidates who obtained their first degree at Rhodes University.

L.4

Subject to the provisions of Rule L.8 candidates must obtain credit in all the courses set out in the following curriculum:

FIRST YEAR

- (1) In the First Semester: Foundations of Law
- (2) In the Second Semester: Introduction to Law
- (3) Three non-legal courses as referred to in Rule L.5 below.

SECOND YEAR

- (1) In the First Semester:
 - Constitutional Law A
 - Law of Contract A
 - Law of Persons
 - Law of Property A
 - Legal Interpretation
- (2) In the Second Semester:

- Constitutional Law B
- Law of Contract B
- Customary Law
- Law of Life Partnerships
- Law of Property B

- (3) One non-legal course as referred to in Rule L.5 at second-year level.

THIRD YEAR

- (1) In the First Semester:

- Civil Procedure A
- Company Law A
- Company Law B
- Criminal Law A
- Public International Law
- Law of Delict A

- (2) In the Second Semester:

- Criminal Law B
- Criminal Procedure A
- Jurisprudence
- Law of Evidence A
- Law of Delict B
- Law of Partnerships and Trusts

- (3) In both First and Second Semesters, for one Semester credit:

- Legal Skills

- (4) In either First or Second Semester, for one Semester credit:

- Legal Practice

FINAL YEAR

- (1) In the First Semester:

- Administrative Law A
- Civil Procedure B
- Criminal Procedure B
- Individual Labour Law
- Law of Sale and Lease
- 2 Electives offered in the First Semester, selected from the list set out in Rule L.6 below.

- (2) In the Second Semester:

- Administrative Law B
- Law of Evidence B
- Law of Insolvency and Winding up of Companies and Close Corporations
- Law of Agency, Insurance and Credit Agreements

Law of Succession and Administration of Estates
2 Electives offered in the Second Semester, selected from the list set out in Rule L.6 below.

L.5

5.1 With the permission of the Dean, and subject to time-table constraints, a candidate may select any non-legal course offered at the University.

L.6

6.1 Candidates may select their elective courses, referred to in the curriculum set out in Rule L.4, from the following list (note that not all electives listed below are offered every year):

In the First Semester:

Copyright and Trade Marks
International Trade Law
Introduction to Conveyancing
Law of Banking and Payments
Law of Unjustified Enrichment
Legal Accounting
Negotiation and Mediation (limited registration)
Tax and Estate Planning

In the Second Semester:

Arbitration (limited registration)
Collective Labour Law
Competition Law
Constitutional Litigation
Environmental Law
Ethics and Professional Responsibility
IsiXhosa
Law of Patents, Designs and Geographical Indications

In both the First and Second Semesters, for one semester credit:

Research Paper

LLB candidates are permitted to complete a Research Paper in a topic of their choice, subject to the availability of a suitable supervisor and the approval of the Dean. Participation in the African Human Rights Moot Court Competition or any other International Moot Competition may qualify as a research paper provided that the research material for these moots is presented in a coherent written form.

6.2 All electives will not necessarily be offered every year and the semester in which electives are offered may also be varied. The availability of options, and

the semester in which they will be taught, will depend upon enrolment numbers and teaching arrangements in the Faculty of Law. Student numbers may be restricted in any particular elective.

6.3 Candidates may not take more than three electives in any one semester.

6.4 Candidates who have obtained a university credit in an accounting course may not register for Legal Accounting.

6.5 Candidates who have obtained a university credit in a Taxation course may not register for Tax and Estate Planning.

6.6 A candidate may not register for more than one research paper elective, except where a candidate participates in the African Human Rights Moot Court Competition. A candidate may obtain only one credit for participation in this Moot Competition, irrespective of the number of times such candidate participates.

L.7

The order in which courses are taken may be varied by the Dean on good cause shown.

L.8

Full-time candidates shall not be permitted to register for more than nine courses in a semester (including courses being repeated).

L.9

9.1 Candidates may be granted exemption from obtaining a credit in any course or courses; provided that they have passed any equivalent course or courses at Rhodes University or elsewhere, and have attained in such course or courses the standard required by the Faculty of Law.

9.2 Candidates who have been granted exemption in terms of sub-paragraph 9.1, but who are unable to qualify for the degree in two years in terms of Rule L.2, shall allocate the remaining courses to each of their three years of study in accordance with the direction of the Dean; provided that in their Final Year they include at least eight semester courses prescribed for that year.

L.10

10.1 Candidates must pass both Foundations of Law and Introduction to Law with an aggregated mark of at least 65%, as well as have obtained an overall average of 65% for their non-legal courses in order to proceed into the second year of study.

10.2 To proceed to the Penultimate Year, candidates must have no more than thirty-two semester courses, or their equivalent, outstanding for the award of the degree.

10.3 To proceed to the Final Year, candidates must have obtained credit in all the courses prescribed in the first year of study and must have no more than eighteen semester courses, or their equivalent, outstanding for the award of the degree and, further, must comply with the provisions of Rule L.8.

L.11

The Board of the Faculty of Law may permit candidates to write supplementary examinations in January/February of the following year in accordance with the following rules:

11.1 Normally a supplementary examination will not be granted to a candidate who has obtained a result of less than 40%.

11.2 Candidates will be eligible for supplementary examinations in no more than four semester courses or their equivalent in any one year, provided that they have passed at least four semester courses, or their equivalent, in that academic year.

11.3 Candidates who fail Legal Practice, Legal Skills and the Research Paper are not eligible for supplementary or aegrotat examinations.

L.12

Candidates in their Final Year who have obtained credit in all semester courses for the degree, save four, may, with the permission of the Dean, register at another university for a similar course or courses to those outstanding for the award of the degree, and may, on successful completion, be granted credit for such course or courses.

L.13

13.1 Candidates for examination in any course may be required to present themselves for oral examination.

13.2 Candidates in their Final Year of study who, after the November examinations, have one or two semester credits outstanding for their degree, will be eligible for an oral examination in those courses, subject to any policy determined by Faculty.

L.14

The degree may be awarded with distinction.

DEGREE OF MASTER OF LAWS, DOCTOR OF PHILOSOPHY AND DOCTOR OF LAWS

L.15

The provisions set out in the General Rules apply.

L.16

16.1 All postgraduate admissions in the Faculty of Law are subject to the availability of resources.

16.2 To be admitted to the Master's degree, candidates must have obtained at least a 65% average in the final year of their LLB degree.

16.3 Where a candidate has not met the requirement set out in L16.2, the Dean of Law has the discretion to admit that person, on good cause shown.

16.4 Admission to the PhD degree is at the discretion of the Dean of Law, on good cause shown.

L.17

All full-time postgraduate candidates shall report in person to their supervisors on or before 15 February of each year.

L.18

Unless exempted by the Dean, all postgraduate candidates shall attend the Faculty's scheduled seminars on proposal writing and research and participate in the Faculty's postgraduate programme.