

RHODES UNIVERSITY



COMMERCIAL LAW 102

GENERAL INFORMATION SHEET

2020



1. LEARNING OBJECTIVES

1.1 Critical Outcomes

The Commercial Law 1 course is designed so that the students should be able to achieve the following outcomes:

- to *communicate* legal issues verbally and in writing in the correct manner;
- to *communicate* effectively in class debate and class assignments;
- to *identify, analyse, extract* and *apply* legal principles to a simple set of facts;
- to *classify* factual situations according to the various branches of the law studied;
- to *identify* and *solve* basic practical legal problems;
- to *organise* and *manage* themselves and their work load;
- to *distinguish* the nature of rights and duties and provide an elementary explanation to a lay person;
- to *cope* with a more detailed study of commercial law; and
- to *use* technology in legal research.

2. CONTENT OF COURSE

Commercial Law 1 consists of two one-credit courses, COL 101 and COL 102.

Commercial Law 101 will cover the following areas of the law:

- Introduction to the nature of law;
- The administration of estates;
- The law of insolvency.
- General principles of contract, including special contracts;

Commercial law 102 will cover the following areas of law:

- Partnership, close corporations and business trusts
- Introduction to business entities
- Aspects of Company law

Commercial Law 102:

- **Section 1 (term 3)** – Prof EH van Coller
- **Section 2 (term 2)** – Adv Shuaib Rahim
- **Section 3 (term 2)** – Mr Tsukudu Moroeng

Specific Outcomes <u>Students are expected to be able to:</u>	Assessment Criteria <u>Students must:</u>
To critically explain different concepts and principles relating to Business structures in South Africa	<ul style="list-style-type: none">• Identify different types of Business Structures;• Explain the nature and characteristics of the different structures (close corporations, partnerships and trusts)
To understand the basic principles of company law in South Africa	<ul style="list-style-type: none">• To understand the basic principles of the Companies Act;• To be able to identify and discuss the different types of companies;• To explain the formation of a company and identify groups of companies
To understand the principles applicable to corporate finance	<ul style="list-style-type: none">• Define relevant concepts relating to corporate finance;• Understand the essentials of company records, financial statements, public offerings, securities and financial markets;• Understand the essentials of business rescue proceedings, company audits and reviews
To explain and understand the nature and function of various company role-players	<ul style="list-style-type: none">• explain the role and duty of shareholders & directors;• Understand the basics of company, board and other committee meetings;
To explain and understand the transactions applicable to companies	<ul style="list-style-type: none">• Define and understand concepts relating to insider trading, fundamental transactions and takeovers;• Understand and explain important remedies in various company transactions;• Explain applicable procedures in the winding-up and deregistration of companies.
Apply the knowledge acquired during the course to solve practical problems	<ul style="list-style-type: none">• Identify and discuss the relevant legal problem or issue.

with regard to aspects of company law	<ul style="list-style-type: none"> • Apply the applicable law to the legal problem or issue. • Conclude with reference to remedies available, if appropriate.
Assessment tasks: (this can change in order to make it compatible for the online offering of the course) <ul style="list-style-type: none"> • Class and tutorial exercises (formative assessment) • 2 Assignments (summative assessment) • Theory questions in the test and exam (summative assessment) • Problem and application questions in the test and exam (summative assessment) 	

3. CONTACT - Col 102

- Prof van Coller h.vancoller@ru.ac.za
- Adv Rahim s.rahim@ru.ac.za
- Mr Moroeng t.moroeng@ru.ac.za

4. LECTURE TIMES AND VENUES

Unless indicated otherwise, lecturing will take place online through materials posted online, including:

- Slides
- Voice lectures
- Exercises and quizzes
- Assignments
- Textbook notes
- Any addition notes

5. THE TUTORIAL SYSTEM

Tutorial forums will be set up on RUconnected, should students wish to communicate with their tutors or ask questions online. However, students can also communicate with their tutors via email or per WhatsApp.

Any tutorial queries must be addressed by e-mail to the Graduate Assistant:

Busisiwe Mahlangu
g15M0866@campus.ru.ac.za

TUTORS:

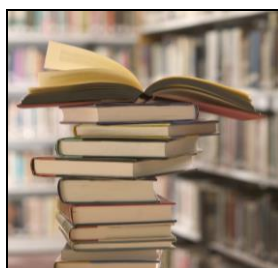
NAME	EMAIL	CELL NUMBER
Mbanangwa Kwilasya	g16K6870@campus.ru.ac.za	078 220 1600
Warren Naicker	g18N5889@campus.ru.ac.za	083 633 4000
Hayley Warring	g16W0958@campus.ru.ac.za	071 479 8833
Emma-Jane Roberts	g16R2470@campus.ru.ac.za	082 525 2660
Charlene Jackson	g15J0050@campus.ru.ac.za	078 236 9303
Vuyo Mxhonywa	g18M2384@campus.ru.ac.za	078 004 8856
Tariro Mbiba	g16M1165@campus.ru.ac.za	072 240 4642
Kgaugelo Sathekge	g17s5476@campus.ru.ac.za	072 100 3137
Busisiwe Mahlangu	g15M0866@campus.ru.ac.za	071 505 0129

6. COURSE MARK



The course mark will be updated as soon as it has been finalised.

7. ASSIGNMENTS

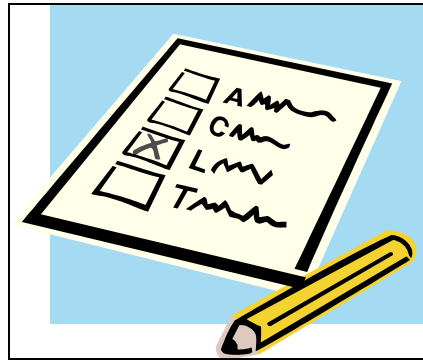


A variety of formative and summative assessments (like assignments, quizzes, exercises and other tasks) will be conducted online. Information will be communicated to students. Just because an assignment is submitted online, students must still take note of the due dates. The **due dates** thereof will still be **ENFORCED**. You need to apply for a LOA, if you submit your assignment or task late. Different due dates will apply to students who receive their study material through course packs.

If a LOA is granted for an assignment, students are still required to submit the assignment within one week after the period for which the LOA has been granted. Failure to do so will result in a student being awarded a mark of zero for the assignment.

Due dates will be communicated to students.

8. TESTS



Tests might take the form of online assessments and students will be informed of the format of these assessments and dates. The same LOA rules apply for these tasks. Writing of tests is compulsory unless a leave of absence certificate has been granted.

TEST DATES:

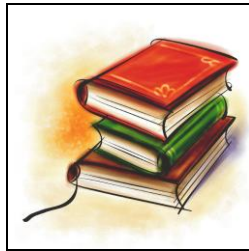
This will be communicated tot students

9. EXAMINATIONS



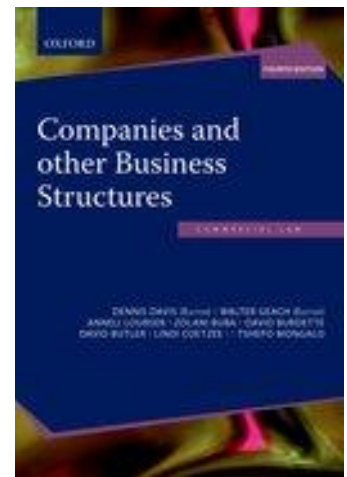
At the moment, an exam period has been set aside for sit down exams in November. The dates and format will be communicated to students, once details have been finalised.

10. TEXTBOOK



The prescribed textbook for Commercial Law 102 is the following:

**Companies and other Business
Structures in South Africa [Commercial Law]
4th Edition
Dennis Davis (editor)
Oxford University Press
2019**



Relevant pages of the textbook will be made available to students on RUconnected or in the course packs.

11. WARNING



Plagiarism and cheating of any form in assignments, tests, exams, etc. is strictly prohibited. Anyone found to have committed any of the foregoing acts will be charged under the University Disciplinary Code.

12. CONTACT DETAILS

Should you wish to contact the Commercial Law 1 course co-ordinator, you may do so via e-mail:

h.vancoller@ru.ac.za

Problems of an administrative nature should first be directed by email to one of the graduate assistants. The graduate assistants will attempt to answer your query and if

they are unable to do so, will refer the query to the course co-ordinators. Queries regarding the CONTENT of the course should be directed to the relevant lecturer who teaches that section. The course co-ordinator does NOT keep copies of various handouts / modules taught by other lectures, so please ensure that you consult with the relevant lecturer.

Best wishes for the year and we hope that you will find

Commercial Law 102 enjoyable and rewarding!



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Where leaders learn

FACULTY OF LAW

Name:

Student no:

Subject:

Lecturer/Tutor:

Due Date:

Assignment topic:

DECLARATION

1. I know that “plagiarism” means using another person’s work and ideas without acknowledgement, and pretending that it is one’s own. I know that plagiarism not only includes verbatim copying, but also the extensive (albeit paraphrased) use of another person’s ideas without acknowledgement. I know that plagiarism covers this sort of use of material found in court judgments, textbooks, journal articles AND on the Internet.
2. I am aware of the University and the Law Faculty’s policies on plagiarism as set out in the Faculty’s *Survival Guide*.
3. I acknowledge and understand that plagiarism is wrong, and that it constitutes academic theft.
4. I understand that my research must be accurately referenced. I have followed the rules and conventions concerning referencing as set out in the Law Faculty’s *Survival Guide*.
5. This assignment is my own work, or the unique work of a group, if a group assignment.
6. I have not allowed, nor will I in the future allow, anyone to copy my work with the intention of passing it off as his or her own work. I also accept that submitting identical work to someone else (a syndicate essay) constitutes a form of plagiarism.

Signed.....

Date: