

MANDELA INSTITUTE

COMPANY LAW I

Postgraduate Certificate Course

R14 750
INCLUDING VAT

12
WEEKS

SATURDAY
MORNING LECTURES
08:30 – 10:00

8 MARCH –
17 JUNE

UNIVERSITY OF THE
WITWATERSRAND,
JOHANNESBURG



WITS
SCHOOL OF LAW



COMPANY LAW I

Description	<p>Company Law I will consider certain foundational principles of company law. These will form the basis for Company Law II in which selected topics will be considered in more detail. The course is theoretical. It will look at trends abroad and consider whether the South African approach to the topics discussed addresses company law problems in an efficient and theoretically sound manner. Case law will be critically analysed with specific focus on the changes wrought by the Companies Act 61 of 1973, and now the Companies Act, 71 of 2008. The emphasis in this course is on critical thinking around the theory and practice of company law.</p>
Outcomes	<p>On successful completion of this short course, participants should be able to:</p> <ul style="list-style-type: none">• Understand and critically engage with the core provisions of the Companies Act 2008 including: the nature of a company, disregarding the separate identity of a company, the company organs, the enforceability of post incorporation contracts, securities, dividends and corporate governance.• Identify and solve complex company law problems• Collect, analyse and critically evaluate authorities and other information regarding the implementation and interpretation of the Companies Act 2008• Critically measure the current company law legal position as determined by the Companies Act, 71 of 2008, and address complex company law issues in a practical and theoretically sound manner.
Content	<p>The course consists of the following modules:</p> <ul style="list-style-type: none">• The history and theoretical conceptions of a company• The legal nature of a company and piercing of the corporate veil• Piercing of the corporate veil within corporate groups• The company constitution• The capacity of a company and ring-fencing• The authority of persons to act on behalf of a company• Securities• Distributions and share repurchases 'buy-backs'• Financial assistance for the acquisition of a company's shares• The Board of Directors; appointment /dismissal• Directors' duties• Directors' liability and delinquent directors• Corporate governance; Contemporary issues in the governance of public companies
Lecturer	<p>Professor Michael Katz (Professor Katz's full profile is available at https://www.ensafrica.com/search?type=all&orderBy=&searchTerm=michael+katz) BCom (Wits), LLB (Wits), LLM (Harvard), LLD (Wits). Admitted as an Attorney of the High Court of South Africa Professor Michael Katz is Chairman of ENSAfrica. He has 43 years experience in privatisation and deregulation, project finance and non-recourse financing, public private partnerships, empowerment ventures, banking and financial markets, takeovers and mergers, competition law and tax.</p>
Assessment	<p>Research assignment, presentation and examination.</p>
Certificate Criteria	<p>One of the following certificates can be obtained:</p> <ul style="list-style-type: none">• <i>Certificate of Attendance</i>: To obtain a certificate of attendance, students are required to attend and participate in 75% of the lectures.• <i>Certificate of Competence</i>: To obtain a certificate of competence, students are required to attend and participate in 75% of the lectures and to complete the assessments as required in the course.
Accreditation	<p>This course is regarded as NQF Level 8 equivalent and may be credited, subject to university policies, towards the PG Dip in Law or LLM degree.</p>
Course Dates	<p>This is a semester-long course where participants attend lectures on a Saturday morning from 08:30 to 10:00 during the period 8 March to 17 June 2021.</p>
Venue	<p>Chalsty Teaching and Conference Centre, Oliver Schreiner School of Law, University of the Witwatersrand, Johannesburg, West Campus, Wits.</p>
Cost	<p>R14 750 including VAT</p>
Covid-19 Arrangements	<p>Courses will be delivered through online lecturing should lockdown regulations prevent contact classes. Students are required to have basic computer skills and stable internet connection.</p>

Detail	Information
Entry Requirements	<ul style="list-style-type: none"> • A relevant <i>Bachelor of Laws</i> or <i>Bachelor of Commerce in Law</i> or <i>Bachelor of Arts in Law</i> or equivalent qualification is a prerequisite for admission to the postgraduate certificate courses; OR • Applicants with any other undergraduate qualifications must complete the bridging course <i>Introduction to Law for Non-Lawyers</i> or equivalent courses first as well as have relevant legal work experience in the specific legal field before they would be considered for other courses. <p>You will be required to submit a copy of your Bachelors Degree, academic record as well as a copy of your identity document or passport. NB: ONLY applicants with an LLB qualification may apply for credit for MI short courses towards the Postgraduate Diploma or LLM degrees. Kindly note that all foreign qualifications must be submitted with a SAQA Evaluation Letter.</p> <p>Applications for the <i>Labour Dispute Resolution Practice</i> courses and applications based on <i>other undergraduate qualifications and work experience</i> need to include the following documents with the completed application form:</p> <ul style="list-style-type: none"> • A detailed motivation on why the applicant wants to enrol for the courses • A detailed Curriculum Vitae highlighting • Certified copies of Qualifications and Academic Records • Certified copy of Identity Document or Passport.
How to Apply	<ul style="list-style-type: none"> • Complete the Online Application Form on the website. • Kindly ensure that you provide all the correct details on the online application form and should your employer be responsible for the payment please complete the relevant section before submitting, as invoices cannot be amended afterwards for employer details. • Please also submit all supporting documents as stipulated in the entry requirements with application form.
Application Dates	<p>1st Semester courses: 5 September 2020 to 29 January 2021</p> <p>2nd Semester courses: 1 April 2021 to 30 June 2021</p> <p>No late applications will be accepted</p>
Payment of Fees	<ul style="list-style-type: none"> • ALL fees must be paid <u>10 days before</u> the start of the semester course or the start of the block release course. Registration is conditional on payment of full tuition fees. • The tuition fees are the responsibility of the individual attending the course. For sponsored students, the individual need to ensure that the sponsor or sponsor organisation have enough time to process the payment. After the payment has been made, please ensure that the proof of payment is send.
Cancellation of Courses	<ul style="list-style-type: none"> • Cancellation by registrant less than 10 calendar days before the start of the semester/course will result in liability for full payment of the fees. • Cancellation by registrant more than 30 calendar days before commencement of the semester/course will result in an administration fee of 15% of the total course fee. • Cancellation by registrant after commencement of the semester/course will result in liability for the full amount and forfeiture of all fees paid. • The Mandela Institute from the School of Law, University of the Witwatersrand reserves the right to postpone or cancel a course due to lack of demand. • In the event of cancellation, or reasonable postponement time, all fees paid will be refunded to the person/entity that made the original payment. • Cancellation of Registration can only be done on a Cancellation of Registration Form. Please e-mail us on Mandela.Institute@wits.ac.za to request a Cancellation of Registration Form.
Registration and Enquiries	<p>Senteni Nsibande E mandela.institute@wits.ac.za</p> <p>T +27 11 717 8435 w www.wits.ac.za/mandelainstitute/short-courses/</p>