



MANDELA INSTITUTE

FOUNDATIONS OF COMMERCIAL LAW PRACTICE

Postgraduate
Certificate Course

**R12 500
INCLUDING VAT**

**9 SATURDAY
MORNINGS**

**SATURDAY
LECTURES
08:30 – 14:30**

**6 FEB – 10 APR
OR
4 SEP – 30 OCT**

UNIVERSITY OF THE
WITWATERSRAND,
JOHANNESBURG



WITS
SCHOOL OF LAW

FOUNDATIONS OF COMMERCIAL LAW PRACTICE

Description	The Foundations of Commercial Law Practice aims to bridge the gap between participants' existing knowledge and courses in Labour Dispute Resolution Practice (LDRP) courses. It aims to equip students with critical thinking skills, legal reasoning skills, legal reading skills for legislation and case law, effective writing skills and legal problem solving skills. The course also aims to provide opportunities to interact, and to stimulate thinking on specific topics. This will collectively prepare participants for LDRP studies.
Outcomes	<p>At the end of the course students should be able to:</p> <ul style="list-style-type: none"> • Interpret (i) the meaning and purpose of law; (ii) the social contract; and (iii) the law in context and in relation to related concepts such as morals, religion, culture and justice. • Identify (i) primary and secondary sources of law; (ii) the hierarchy of the South African courts and the applicable rules of judicial precedent as a sources of law; (iii) the various branches of law. • Distinguish between (i) a criminal case and a civil case; (ii) substantive and procedural law; (iii) public and private law; (iv) foreign law and international law. • Clarify (i) the requirements for a valid contract; (ii) the forms of breach of contract and the legal remedies for a breach of contract; (iii) definition and requirements for a valid contract of sale; (iv) the definition and requirements for a valid contract of agency; (v) the definition and requirements for a valid contract of employment; and (vi) the common law duties of the respective parties in a valid contract of sale, agency and employment. • Outline the definition and elements of a delict insofar as they intersect with the law of contract and labour law.
Content	<p>The course consists of the following modules:</p> <ul style="list-style-type: none"> • Introduction to the SA legal system <ul style="list-style-type: none"> ◦ Legal concepts and terms ◦ The hierarchy of the sources of law ◦ The hierarchy of the courts and judicial precedent ◦ The branches of law (substantive and procedural, public and private, civil and criminal) • Requirements for a valid contract <ul style="list-style-type: none"> ◦ Contractual capacity ◦ Agreement ◦ Contracts without agreement ◦ Contractual intention • Principles of contract <ul style="list-style-type: none"> ◦ Overview of specific contracts ◦ The law of delict
Assessment	Continuously assessment (3 tests weighting 30%, 30% and 40%)
Certificate Criteria	<p>The following certificates can be obtained:</p> <ul style="list-style-type: none"> • <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. • Please note that a Certificate of Attendance is not available for this course.
Accreditation	This postgraduate certificate course is accredited by the university in accordance with its statutory mandate. It does not lead to a qualification registered on the National Qualifications Framework. No credit may be granted towards the PG Dip in Law or LLM degrees.
Course Dates	This is a block release course where participants attend Saturday lectures from 08:30 to 14:30 over 9 consecutive Saturday mornings during the period 6 February to 10 April 2021 OR 4 September to 30 October 2021.
Venue	Chalsty Teaching and Conference Centre, Oliver Schreiner School of Law, University of the Witwatersrand, Johannesburg, West Campus, Wits.
Cost	R12 500 including VAT
Covid-19 Arrangements	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.

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 5 December 2020</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>