
FACULTY PROSPECTUS 2007

FACULTY OF LAW



THE UNIVERSITY OF NAMIBIA

NOTE

This Faculty Prospectus is valid for 2007 only. Regulations and curricula for 2007 may be amended. General regulations and information appear in the **General Prospectus: Information & Regulations**.

Although the information contained in this Faculty Prospectus has been compiled as accurately as possible, Council and Senate accept no responsibility for any errors and omissions which may occur. The University retains the right to amend any regulation or condition without prior notice.

The information is correct up to 31 October 2006.

The fact that particulars of a specific course or field of study have been included in this Faculty Prospectus, does not necessarily mean that such course or field of study will be offered in 2007 or any consecutive year.

This Faculty Prospectus must be read in conjunction with the **General Prospectus: Information & Regulations**.

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PREAMBLE

The provision of facilities for legal education was one of the strong recommendations in the Turner Report (Higher Education in Namibia: Report of a Presidential Commission, Windhoek 1991), which stated, inter alia:

We have been impressed by the argument that in Namibia, law is a developmental subject; much of the current legal system was distorted by the tenets of apartheid. Although the ideology is now outlawed by the Constitution, a massive effort is needed to revise the legal system to make it a suitable expression of the Constitution." (p 100)

In evaluating the Turner Report (which, despite the quoted view, opted for a two - step - approach according to which a faculty was to succeed a department after a period of consolidation), the Joint Technical Committee under the then Vice - Chancellor - Designate, Prof. PH Katjavivi, proposed to the Cabinet of the Republic of Namibia the establishment of a faculty of law from the outset. The Cabinet approved the establishment of a faculty on 19 November 1991.

The year 1992 became the year of planning; the year 1993 the year of implementation. The Law Faculty Sub-Committee of the Office of the Vice Chancellor - Designate was put in place. It was chaired by the Founding Dean of the Faculty, Prof. WJ Kamba. The late Adv. FJ Kozonguizi, Ombudsman of Namibia, functioned as its convener. The membership covered a broad spectrum, having representatives from all walks of the legal fraternity.

The deliberations of the Sub-Committee led to a comprehensive report on how the future faculty should be shaped. After consultations with national and international experts, the report was eventually submitted to the Vice Chancellor of the UNAM and approved for implementation by the University by the end of 1992.

Apart from the LL B component, the Report also dealt with other components of the proposed Faculty. It contained recommendations on what developed into two separate centres of the Faculty, the Justice Training Centre (JTC) and the Human Rights and Documentation Centre (HRDC). Both centres were created by way of contractual agreements between the Ministry of Justice and the UNAM. The Faculty started its preparatory work in early 1993 and admitted its first students in January 1994.

The formal launch of the JTC took place on 20 September 1993; the HRDC was launched on the occasion of the workshop on "Human Rights Education and Advocacy in the 1990s" which was held in May 1993. The Faculty of Law was officially inaugurated by the Chancellor of the UNAM, His Excellency President Dr SS Nujoma, on 18 February 1994.

The Legal Department of the Centre for Applied Social Sciences (CASS) was affiliated to the Faculty of Law of the UNAM with effect from January 1994. The main aim of the affiliation was to make the services of CASS, in terms of generating legal research and providing technical assistance (mainly in customary, but also in other areas of law), available to the Faculty of Law.

Departments of Public Law and Jurisprudence, Private and Procedural Law, and Commercial Law were established in 2000. The JTC and the HRDC have the status of departments, the Director of the JTC and the Managing Director of the HRDC are, thus, ex-officio members of the Senate.

After two years of experience with the curriculum of the degree of LL B, a curriculum revision took place. It led to a new degree structure with the degree of B Juris after three years of studies and the degree of LL B after two additional years. The first students of the Faculty completed the B Juris at the end of 1996 and the LL B programme in 1998.

The B Juris qualifies the holder to employment, after the appropriate practical preparation, into the magistracy, the prosecution service (in the lower courts) and into those areas that do not require a full legal professional qualification. For entry into full membership of the legal profession and the practice of law in Namibia in terms of the Legal Practitioners, Act 15 of 1995, the LL B degree is a prerequisite.

The JTC of the Faculty offers practical legal courses to candidate legal practitioners. The JTC examinations are conducted under the supervision of the Legal Education Board as part of the requirements for admission for practicing law.

Post-graduate programmes with two offers to obtain the degree of LL M in Economic Law and the Law of Criminal Justice have been available since 2000.

ACADEMIC CALENDAR 2007

FIRST SEMESTER

08 Jan	University opens
29 Jan - 09 Febr	Registration (Last day for Late Reg: 16 February)
12 February	Lectures commence for FIRST SEMESTER
02 April	EASTER BREAK starts
10 April	Lectures resume after Easter Break
01 June	Lectures end for FIRST SEMESTER
05 June	First Opportunity Exams commence (Sem I modules)
22 June	First Opportunity Exams end (Sem I modules)
10 July	Second Opportunity Exams commence (Sem I modules)
27 July	Second Opportunity Exams end (Sem I modules)

SECOND SEMESTER

30 July	Lectures commence for SECOND SEMESTER
17 September	SPRING BREAK starts
24 September	Lectures resume after Spring Break
09 November	Lectures end for SECOND SEMESTER
13 November	First Opportunity Exams commence (Sem II & Year mod)
30 November	First Opportunity Exams end (Sem II & Year mod)
14 December	Academic Year ends & University closes (until 08 Jan 2008)
09 January 2008	Second Opportunity Exams commence (Sem II & Year mod)
26 January 2008	Second Opportunity Exams end (Sem II & Year mod)

DUE DATES FOR THE 2007 ACADEMIC YEAR

- (i) **GENERAL**
- | | |
|--|-------------|
| Last day for Late Registration (<i>Late fee payable</i>) | 16 February |
| Last day for approval of exemption(s)..... | 16 February |
| Last day for approval of retention of continuous assessment mark.... | 16 February |
| Last day for approval of module(s) & qualification changes | 16 February |
| Last day to submit outstanding documentation..... | 31 May |
| Last day to apply for enrolment cancellation..... | 19 October |
- (ii) **CANCELLATIONS**
- Semester I modules**
- | | |
|---|--------|
| Last day to cancel Semester I modules | 11 May |
|---|--------|
- Semester II modules**
- | | |
|--|------------|
| Last day to cancel Semester II modules | 19 October |
|--|------------|
- Double modules**
(a double module normally extends over one academic year)
- | | |
|---|------------|
| Last day to cancel Double modules | 19 October |
|---|------------|
- (iii) **FINANCE**
- Semester I modules**
- | | |
|---|-------------|
| Last day to cancel with 100 % credit..... | 28 February |
|---|-------------|

Last day to cancel with 50 % credit..... 30 March

Semester II modules

Last day to cancel with 100 % credit..... 10 August

Last day to cancel with 50 % credit..... 14 Sept

Double modules

(a double module normally extends over one academic year)

Last day to cancel with 100 % credit..... 28 February

Last day to cancel with 50 % credit..... 01 June

PERSONNEL

OFFICE-BEARERS AND ADMINISTRATIVE PERSONNEL

Dean:	Mr SK Amoo
Deputy Dean:	Mr F Nghilshilliwa
Heads of Departments:	See Academic Personnel
Faculty Officer:	Ms D Davies
Faculty Librarian:	Mr OS Awuku
Faculty Secretary:	Ms J Abrahams
Typist:	Vacant
Office Administrator JTC:	Ms C Klazen
Secretary HRDC:	Ms Y Tjilale

General enquiries regarding the Faculty of Law and the qualifications offered by the Faculty should be directed to:

The Faculty Officer
Faculty of Law
University of Namibia
Private Bag 13301
WINDHOEK,
Namibia

Telephone: +264-61-206 3998

ACADEMIC PERSONNEL

DEPARTMENT PUBLIC LAW & JURISPRUDENCE

Acting Head of Department:	Prof. MO Hinz: 1st Ex Law; 2nd St Ex Law; PhD (Mainz); Habil Law (Mainz, Bremen)
Professor:	Prof. MO Hinz: 1st Ex Law; 2nd St Ex Law; PhD (Mainz); Habil Law (Mainz, Bremen)
Professor (emeritus):	Prof. WJ Kamba: BA; LL B (Cape Town); LL M (Yale); LL D (hc) (Dundee & Natal); D Hum L (hc) (Rhode Island); D Litt (hc) (Charles Stuart)
Senior Lecturers:	Mr SK Amoo: BA (Legon); LL B (Zambia); LL M (Toronto); Advocate of the Supreme Court of Zambia; Advocate of the High Court of Namibia Mr F Nghilshilliwa: LL B; LL M (Warwick)
Junior Lecturer:	Mr C Kavendji: B Juris; LL B (UNAM); Legal Practitioner of the High Court of Namibia
Part-time Lecturers:	Mr D Obbes: B Juris; LL B (UNAM); LL M (US)

DEPARTMENT OF PRIVATE AND PROCEDURAL LAW

Acting Head of Department:	Prof N Horn: Proc (RAU); LL M (UNISA); B Th (Hons) (UNISA); MA (UPE); PhD (UWC); Legal Practitioner of the High Court of Namibia
Senior Lecturer:	Mr SK Amoo: BA (Legon); LL B (Zambia); LL M (Toronto); Advocate of the Supreme Court of Zambia; Advocate of the High Court of Namibia Mr F Nghilshilliwa: LL B; LL M (Warwick)
Part-time Lecturers:	Mr F C Brandt: D Jur; B Proc; LL B (UNISA)

DEPARTMENT OF COMMERCIAL LAW

Head of Department:	Mr K Kangueehi BA; LL B; PGD Tax Law (UCT); Legal Practitioner of the High Court of Namibia
Senior Lecturer:	Mr F Nghilshilliwa: LL B; LL M (Warwick)
Junior Lecturer:	Mr C Kavendji: B Juris; LL B (UNAM); Legal Practitioner of the High Court of Namibia
Part-time Lecturers:	Mr E de Klerk: BComm LLB, (RAU); BA Honours (Business Administration) (US); Practising Legal Practitioner in the High Court Ms C Anyanwu: B Juris; LL B (UNAM)

The subjects of the B Juris and LL B programmes have been arranged in the departments in the following manner:

- The Department Private and Procedural Law comprises: Practical Legal Studies I; Practical Legal Studies/Legal Aid Clinic II; Law of Property; Law of Delict; Civil Procedure; Criminal Procedure I & II; Law of Evidence; Law of Persons; Law of the Family; Private International Law; Conveyancing and Notarial Practice; Law of Succession.
- The Department Commercial Law comprises: Commercial Law (Law Students); Law of Associations; Labour Law; International Economic Law; Law of Contract; Maritime Law; Tax Law; Accountancy for Lawyers; Company Law; Credit Agreements; Law of Insolvency; Insurance Law; Negotiable Instruments.

- The Department Public Law and Jurisprudence comprises: Criminal Law I & II; Constitutional Law; Human Rights Law; Gender Law; Administrative Law; Public International Law; Environmental Law; Criminology & Crime Prevention; Introduction to Law; Customary Law I, II, III & IV; Comparative Law; Jurisprudence; Statutory Interpretation; LL B Dissertation.

The Departments function as co-coordinating units for the teaching of the subjects arranged in the three Departments. Students are requested to approach Heads of Departments in case of complaints and inquiries.

JUSTICE TRAINING CENTRE (JTC)

Director: Vacant
Deputy Director: Vacant
Lecturer: Vacant
Part-time Lecturers: Mr F C Brandt: Dipl Iur; B Proc; LL B (UNISA)
 Mrs M Dammert: B Proc (UNISA)
 Mr E de Klerk: BComm LLB, (RAU); BA Honours (Business Administration) (US); Practising Legal Practitioner in the High Court
 Mr P Erasmus: LL B (Stellenbosch)
 Adv H Geier: BA; LL B (Rhodes)
 Prof N Horn: Proc (RAU); LL M (UNISA); B Th (Hons) (UNISA); MA (UPE); PhD (UWC); Legal Practitioner of the High Court of Namibia
 Mr S Makando: BJuris, LLB (Univ. of Zululand), Practising Legal Practitioner in the High Court
 Adv A Pickering: BA (Hons) (UNISA); LL B (UWC); LL M (Univ of Warwick UK)
 Adv J Schickerling: BLC (Pretoria); LL B (Pretoria)
 Ms E Schimming-Chase: BJuris LLB, (Univ. of Coventry UK); Barrister at Law of UK; Practising Advocate in the High Court
 Ms E Thompson: BA, LLB (UCT); Practising Legal Practitioner
 Mr H von Holtz: Dipl Trust (Institute of Bankers)
 Mr E H Yssel: BA; LL B (Stellenbosch)

HUMAN RIGHTS AND DOCUMENTATION CENTRE (HRDC)

Director: Prof JN Horn: B Proc (RAU); LL M (UNISA); B Th (Hons) (UNISA); MA (UPE); PhD (UWC); Legal Practitioner of the High Court of Namibia
UNESCO Chair for Human Rights and Democracy: Prof MO Hinz: 1st Ex Law; 2 St Ex Law; PhD (Mainz); Habil Law (Mainz, Bremen)
Materials Developer: Vacant
Senior Documentalist: Ms C M Mchombu: BA (Accounting & Pub Admin); MA (Library & Info Studies) (University of Botswana)

A. REGULATIONS

These Regulations should be read in conjunction with and subject to the **General Prospectus: Information & Regulations**.

A.1 COURSES OF STUDY

A.1.1 CERTIFICATE

The Faculty may award the following certificate:
Specialised Certificate in Customary Law (CCUL)

16CCUL

A.1.2 DEGREES

The Faculty may award the following degrees:

Baccalaureus Juris (B Juris)

16BIUR

Bachelor of Laws (LL B)

16BLAW

Master of Laws (Economic Law) by Thesis only (LL M)

16MLEC

Master of Laws (The Law of Criminal Justice) by Thesis only (LL M)

16MLCR

B. SPECIALISED CERTIFICATE IN CUSTOMARY LAW (CCUL) - FULL TIME

B.1 ADMISSION

B.1.1 Admission to the Specialised Certificate in Customary Law shall be open to all students who have successfully completed the degree of B Juris and the first year LL B course Customary Law IV.

B.2 DURATION OF STUDY

B.2.1 The Specialised Certificate in Customary Law extends over a period of at least one (1) academic year.

B.2.2 The Specialised Certificate in Customary Law must be completed within two (2) years of study.

B.2.3 The said periods may only be exceeded with the authority of Senate.

B.3 CURRICULUM COMPILATION

The curriculum for the Specialised Certificate in Customary Law is as follows:

FIRST YEAR

Year-Long Modules:
LRP4110 Specialised Certificate Research Paper

Semester One Modules:	Semester Two Modules:
	LIR4112 Internship and Internship Report

B.4 MODULE CODES AND RESTRICTION ON MODULES

A student will not be admitted to a specific module if s/he does not meet the requirements for the particular module. Before a student can continue with a module, the preceding relevant module must be passed.

The following abbreviations are used in the "Duration" column:

- Y Year-Long Module
- 1 Semester One Module
- 2 Semester Two Module

FIRST YEAR:

MODULES		DURATION	PRE-REQUISITES
LIR4112	Internship and Internship Report	2	B Juris degree + LCU3121 Customary Law IV
LRP4110	Specialised Certificate Research Paper	Y	B Juris degree + LCU3121 Customary Law IV

B.5 EXAMINATION REGULATIONS

See **General Prospectus: Information & Regulations** for Special Regulations.

Furthermore, Regulation F.9.6.1 of the Faculty of Law for marking LL B Dissertations shall apply i.e:

To ensure maximum consistency of marking across different supervisors, the following shall be taken into account:

- theoretical and methodological clarity,
- originality of arguments,
- quality and synthesis of research,
- quantity of research,
- orderly nature of presentation,
- footnotes, bibliography, language use, and
- overall quality.

B.6 ACADEMIC ADVANCEMENT RULES

A student who failed in obtaining the necessary marks in the Internship and/or the research paper shall be allowed to repeat the failed part once, otherwise the following regulations will apply:

B.6.1 LATE SUBMISSION, FAILURE OF SUBMISSION, FAILURE OF PASS MARK

B.6.1.1 A student may not proceed to the next stage without submitting a document required at an early stage, e.g. a student cannot proceed to the first draft without submitting a detailed proposal. Failure to submit the draft research paper or the main research paper shall mean the student will have failed the course.

B.6.1.2 Supervisors may at their discretion and in consultation with the co-ordinator give reasonable extensions (not more than 7 days in each case) in deserving cases. The supervisor shall, at each stage, ensure that the students supervised by him/her submit documents on the required dates and also ensure that where extensions are granted students adhere to the period of the extensions.

B.6.1.3 If the late or non-submission is the result of illness or some other excusable cause a student shall be required to substantiate it with medical or other satisfactory evidence.

B.6.1.4 Subject to Rule B.2 (Duration of Study) of the Faculty of Law, a student who received a mark of less than 50% and more than 44% for his/her Research Paper shall be allowed to re-register for Research Paper in the following academic year and to submit an amended version of his/her original Research Paper within four months.

B.6.1.5 A student who received a mark of 44% or less in his/her original Research Paper shall be allowed to re-register for Research Paper and to proceed as stipulated in these Regulations and the Rules of the Faculty concerning failure of courses.

B.6.1.6 A student who fails to obtain a pass mark in his/her amended version of his/her Research Paper shall be allowed to proceed with Research Paper and to submit a Research Paper on a different subject in accordance with the LL B Dissertation Regulations before the end of the respective academic year.

B.7 MINIMUM REQUIREMENTS FOR RE-ADMISSION INTO THE FACULTY

B.7.1 The maximum duration of study for the Specialised Certificate in Customary Law is 2 years after which a student will not be re-admitted into the Faculty of Law for this specific course of study.

B.8 AWARDING OF THE SPECIALISED CERTIFICATE IN CUSTOMARY LAW

B.8.1 A student shall be awarded the Specialized Certificate in Customary Law if he/she passed all prescribed modules.

C. BACCALAUREUS JURIS (B JURIS) - FULL TIME

C.1 ADMISSION

- C.1.1 A student is eligible to register for the programme of B Juris if he/she holds a School Leaving Certificate entitling him/her to degree studies. A student must obtain a minimum of 30 scores in five subjects according to UNAM rating.
- C.1.2 Applicants seeking admission to the B Juris programme as mature students must satisfy mature age entry qualifications as prescribed in the General Information and Regulations Prospectus.
- C.1.3 Admission to the B Juris programme will be based on merit and will depend on places available (i.e. the capacity of the Faculty). Therefore, the mere satisfaction of the minimum entrance requirements will not guarantee admission to the B Juris programme.
- C.1.4 In order to qualify for admission into the Faculty of Law, a student already admitted to a degree programme of the University of Namibia in a Faculty other than the Faculty of Law, should attain an overall average of 60%, irrespective of the number of modules taken, and provided he/she did not fail any module in that Faculty.
- C.1.5 The Faculty reserves the right to interview any applicants before admission to the B Juris programme.
- C.1.6 A student who registered for full time studies cannot change to part time studies during the course of the year of registration. The same rule applies (*a fortiori*) to a student who registered for part time studies.

C.2 DURATION OF STUDY

- C.2.1 The fulltime B Juris degree programme extends over a period of at least three (3) academic years.
- C.2.2 The fulltime B Juris degree programme must be completed within four (4) years of study.
- C.2.3 The said periods may only be exceeded with the authority of Senate.

C.3 CURRICULUM COMPILATION

The curriculum for the full time B Juris degree is as follows:

FIRST YEAR

Year-Long Modules:	
LIL3110	Introduction to Law
LCT3110	Law of Contract
SOC3110	Sociology

Semester One Modules:		Semester Two Modules:	
UCI3109	Contemporary Social Issues	UCC3109	Computer Literacy
UCA3119	English Communication and Study Skills for Academic Purposes	UCL3112	English Communication and Study Skills for Law Students
LCR3111	Criminal Law I	LCR3112	Criminal Law II

SECOND YEAR

Year-Long Modules:	
LCS3210	Constitutional Law
LPR3210	Law of Property
LCM3200	Commercial Law

Semester One Modules:	Semester Two Modules:		
LCU3201	Customary Law I	LCU3202	Customary Law II
LPE3201	Law of Persons	LFA3212	Family Law
LHR3201	Human Rights Law	LGE33202	Gender Law
LSI3201	Statutory Interpretation		

THIRD YEAR

Year-Long Modules:	
LCI3300	Civil Procedure
LAS3300	Law of Associations
LDE3300	Law of Delict
LEV3300	Law of Evidence
LLA3300	Labour Law
LPS3300	Practical Legal Studies I

Semester One Modules:	Semester Two Modules:		
LCP3311	Criminal Procedure I	LCP3312	Criminal Procedure II
		LCU3302	Customary Law III

C.4 MODULE CODES AND RESTRICTION ON MODULES

A student will not be admitted to a specific module if s/he does not meet the requirements for the particular module. Before a student can continue with a module, the preceding relevant module must be passed.

The following abbreviations are used in the "Duration" column:

- Y Year-Long Module
- 1 Semester One Module
- 2 Semester Two Module

FIRST YEAR:

MODULES		DURATION	PRE-REQUISITES
UCI3109	Contemporary Social Issues	1	None
UCA3119	English Communication & Study Skills for Academic Purposes	1	None
LCR3111	Criminal Law I	1	None
UCC3109	Computer Literacy	2	None
UCL3112	English Communication & Study Skills for Law Students	2	UCA3119 English Communication & Study Skills for Academic Purposes
LCR3112	Criminal Law II	2	LCR3111 Criminal Law I
LIL3110	Introduction to Law	Y	None
LCT3110	Law of Contract	Y	None
SOC3110	Sociology	Y	None

SECOND YEAR:

MODULES		DURATION	PRE-REQUISITES
LCU3201	Customary Law I	1	None
LHR3201	Human Rights Law	1	None
LSI3201	Statutory Interpretation	1	None
LPE3201	Law of Persons	1	None
LFA3212	Family Law	2	LPE3201 Law of Persons
LCU3202	Customary Law II	2	LCU3201 Customary Law I
LGE3202	Gender Law	2	LHR3201 Human Rights Law
LCM3200	Commercial Law	Y	None
LCS3210	Constitutional Law	Y	None
LPR3210	Law of Property	Y	None

THIRD YEAR:

MODULES		DURATION	PRE-REQUISITES
LCP3311	Criminal Procedure I	1	None
LCP3312	Criminal Procedure II	2	LCP3311 Criminal Procedure I
LCU3302	Customary Law III	2	LCU3202 Customary Law II
LCI3300	Civil Procedure	Y	None
LAS3300	Law of Associations	Y	None
LDE3300	Law of Delict	Y	None
LEV3300	Law of Evidence	Y	None
LLA3300	Labour Law	Y	None
LPS3300	Practical Legal Studies I	Y	None

C.5 EXAMINATION REGULATIONS

See **General Prospectus: Information & Regulations** for Special Regulations.

C.6 ACADEMIC ADVANCEMENT RULES

The following should be considered when calculating the number of modules:

Double (Year-long) Module offered over four (4) periods per week = 2

Double (Year-long) Module offered over two (2) periods per week = 1

Semester Module offered over four (4) periods per week = 1

Semester Module offered over two (2) periods per week = ½

A student is eligible to register for his/her subsequent year of studies if he/she has,

- C.6.1 at the end of the first year, passed eight (8) out of the prescribed eleven (11) modules, which should include at least two (2) of the following law modules:
- Introduction to Law
 - Law of Contract
 - Criminal Law I and II
- C.6.2 at the end of the second year passed six (6) out of the prescribed nine (9) second year modules provided that all outstanding first year modules have been passed.
- C.6.3 at the end of the third year, passed all third year modules plus outstanding second year modules in order to be awarded the B Juris degree.

C.7 MINIMUM REQUIREMENTS FOR RE-ADMISSION INTO THE FACULTY

A student will not be re-admitted into the Faculty unless s/he passed at least:

- C.7.1 FOUR modules by the end of the first year of registration
- C.7.2 TEN modules by the end of the second year of registration [outstanding (7) first year modules plus (3) second year modules]
- C.7.3 TWENTY modules by the end of the third year of registration [all first year modules (11) plus outstanding (6) second year modules plus at least (3) out of the eight and a half (8½) third year modules]
- C.7.4 The above-mentioned implies that a student who does not complete the B Juris degree within the prescribed duration of study, has one year left to complete the remaining five and a half (5½) modules.
- C.7.5 A student may only register for a maximum of two times for the same year of study. This is subject to the duration of study for the degree of B Juris. The maximum duration of study for the degree of B Juris is 4 years.

C.8 AWARDING OF THE DEGREE OF B JURIS

- C.8.1 A student shall be awarded the degree of B Juris if he/she passed all prescribed modules.

D. BACCALAUREUS JURIS (B JURIS) - PART TIME

D.1 ADMISSION

- D.1.1 A student is eligible to register for the programme of B Juris if he/she holds a School Leaving Certificate entitling him/her to degree studies. A student must obtain a minimum of 30 scores in five subjects according to UNAM rating.
- D.1.2 Applicants seeking admission to the B Juris programme as mature students must satisfy mature age entry qualifications as prescribed in the General Information and Regulations Prospectus.
- D.1.3 Admission to the B Juris programme will be based on merit and will depend on places available (i.e. the capacity of the Faculty). Therefore, the mere satisfaction of the minimum entrance requirements will not guarantee admission to the B Juris programme.
- D.1.4 In order to qualify for admission into the Law Faculty, a student already admitted to a degree programme of the University of Namibia in a Faculty other than the Law Faculty, should attain an overall average of 60%, irrespective of the number of modules taken, and provided he/she did not fail any module in that Faculty.
- D.1.5 The Faculty reserves the right to interview any applicants before admission to the B Juris programme.
- D.1.6 A student who registered for full time studies cannot change to part time studies during the course of the year of registration. The same rule applies (*a fortiori*) to a student who registered for part time studies

D.2 DURATION OF STUDY

- D.2.1 The B Juris part time degree programme extends over a period of at least four (4) academic years.
- D.2.2 The B Juris part time degree programme must be completed within five (5) years of study.
- D.2.3 The said periods may only be exceeded with the authority of Senate.

D.3 CURRICULUM COMPILATION

The curriculum for the part time B Juris degree is as follows:

FIRST YEAR OF REGISTRATION

Year-Long Modules:	
LIL3110	Introduction to Law
LCT3110	Law of Contract
SOC3110	Sociology

Semester One Modules:	Semester Two Modules:
UCI3109 Contemporary Social Issues	UCC3109 Computer Literacy
UCA3119 English Communication and Study Skills for Academic Purposes	UCL3112 English Communication and Study Skills for Law Students

SECOND YEAR OF REGISTRATION

Year-Long Modules:	
LCS3210	Constitutional Law
LPR3210	Law of Property

Semester One Modules:		Semester Two Modules:	
LCR3111	Criminal Law I	LCR3112	Criminal Law II
LCU3201	Customary Law I	LCU3202	Customary Law II
LHR3201	Human Rights Law	LGE3202	Gender Law

THIRD YEAR OF REGISTRATION

Year-Long Modules:	
LCM3200	Commercial Law
LCI3300	Civil Procedure
LAS3300	Law of Associations
LEV3300	Law of Evidence

Semester One Modules:		Semester Two Modules:	
LPE3201	Law of Persons	LFA3212	Family Law
LSI3201	Statutory Interpretation	LCU3302	Customary Law III

FOURTH YEAR OF REGISTRATION

Year-Long Modules:	
LLA3300	Labour Law
LDE3300	Law of Delict
LPS3300	Practical Legal Studies I

Semester One Modules:		Semester Two Modules:	
LCP3311	Criminal Procedure I	LCP3312	Criminal Procedure II

D.4 MODULE CODES AND RESTRICTION ON MODULES

A student will not be admitted to a specific module if s/he does not meet the requirements for the particular module. Before a student can continue with a module, the preceding relevant module must be passed.

The following abbreviations are used in the "Duration" column:

- Y Year-Long Module
- 1 Semester One Module
- 2 Semester Two Module

FIRST YEAR OF REGISTRATION:

MODULES		DURATION	PRE-REQUISITES
UCI3109	Contemporary Social Issues	1	None

UCA3119	English Communication & Study Skills for Academic Purposes	1	None
UCC3109	Computer Literacy	2	None
UCL3112	English Communication & Study Skills for Law Students	2	UCA3119 English Communication & Study Skills for Academic Purposes
LIL3110	Introduction to Law	Y	None
LCT3110	Law of Contract	Y	None
SOC3110	Sociology	Y	None

SECOND YEAR OF REGISTRATION:

MODULES		DURATION	PRE-REQUISITES
LCR3111	Criminal Law I	1	None
LCU3201	Customary Law I	1	None
LHR3201	Human Rights Law	1	None
LCR3112	Criminal Law II	2	LCR3111 Criminal Law I
LCU3202	Customary Law II	2	LCU3201 Customary Law I
LGE3202	Gender Law	2	LHR3201 Human Rights Law
LCS3210	Constitutional Law	Y	None
LPR3210	Law of Property	Y	None

THIRD YEAR OF REGISTRATION:

MODULES		DURATION	PRE-REQUISITES
LPE3201	Law of Persons	1	None
LSI3201	Statutory Interpretation	1	None
LFA3212	Family Law	2	LPE3201 Law of Persons
LCU3302	Customary Law III	2	LCU3202 Customary Law II
LCM3200	Commercial Law	Y	None
LCI3300	Civil Procedure	Y	None
LAS3300	Law of Associations	Y	None
LEV3300	Law of Evidence	Y	None

FOURTH YEAR OF REGISTRATION:

MODULES		DURATION	PRE-REQUISITES
LCP3311	Criminal Procedure I	1	None
LCP3312	Criminal Procedure II	2	LCP3311 Criminal Procedure I
LLA3300	Labour Law	Y	None
LDE3300	Law of Delict	Y	None
LPS3300	Practical Legal Studies I	Y	None

D.5 EXAMINATION REGULATIONS

See **General Prospectus: Information & Regulations** for Special Regulations.

D.6 ACADEMIC ADVANCEMENT RULES

The following should be considered when calculating the number of modules:

Double (Year-long) Module offered over four (4) periods per week = 2

Double (Year-long) Module offered over two (2) periods per week = 1

Semester Module offered over four (4) periods per week = 1

Semester Module offered over two (2) periods per week = ½

A student is eligible to register for his/her subsequent year of studies if he/she has,

- D.6.1 at the end of the first year, passed six (6) out of the prescribed nine (9) modules prescribed for the first year of registration, which should include at least one (1) of the following two law modules:
- Introduction to Law
 - Law of Contract
- D.6.2 at the end of the second year of registration passed five (5) out of the eight (8) modules prescribed for the second year of registration, provided that all outstanding modules prescribed for the first year of registration, have been passed.
- D.6.3 at the end of the third year of registration, passed four (4) out of the six and a half (6½) modules prescribed for the third year of registration provided that all outstanding modules prescribed for the second year of registration, have been passed.
- D.6.4 at the end of the fourth year of registration, passed all outstanding modules in order to be awarded the B Juris degree.

D.7 MINIMUM REQUIREMENTS FOR RE-ADMISSION INTO THE FACULTY

A student will not be re-admitted into the Faculty unless s/he passed at least:

- D.7.1 THREE modules by the end of the first year of registration
- D.7.2 NINE modules by the end of the second year of registration [outstanding (6) modules prescribed for the first year of registration plus (3) modules prescribed for the second year of registration]
- D.7.3 SIXTEEN modules by the end of the third year of registration [all modules prescribed for the first year of registration (9) plus outstanding (5) modules prescribed for the second year of registration plus at least (2) out of the six and a half (6½) modules prescribed for the third year of registration]
- D.7.4 TWENTY ONE modules by the end of the fourth year of registration [all modules prescribed for the first year of registration (9) plus all modules prescribed for the second year of registration (8) plus (2) of the outstanding four and a half modules prescribed for the third year of registration plus at least (2) out of the five modules prescribed for the fourth year of registration]
- D.7.5 The above-mentioned implies that a student who does not complete the B Juris degree within the prescribed duration of study, has one year left to complete the remaining five and a half (5½) modules.
- D.7.6 A student may only register for a maximum of two times for the same year of study. This is subject to the duration of study for the degree of B Juris. The maximum duration of study for the degree of B Juris is 5 years.

D.8 AWARDING OF THE DEGREE OF B JURIS

- D.8.1 A student shall be awarded the degree of B Juris if he/she passed all prescribed modules.

E. BACHELOR OF LAWS (LL B) - FULL TIME

E.1 ADMISSION

E.1.1 A student is eligible to register for the full time programme of LL B if he/she was awarded the degree of B Juris of the University of Namibia, or at the end of his/her third year of studies for the degree of B Juris on full time at UNAM, passed five (5) out of the prescribed eight and a half (8½) third year modules prescribed for full time studies, provided that all outstanding first and second year modules have been passed OR passed two (2) out of the prescribed five (5) modules prescribed for the fourth year of registration on part time, provided that all outstanding modules prescribed for the first year of registration, second year of registration and third year of registration on part time studies have been passed.

E.1.2 Subject to the general rules for admission, applicants for admission to the LL B programme and holding the degree of B Juris or equivalent from Universities other than the University of Namibia may be admitted to the LL B programme by Senate on the recommendation of the Faculty Board. Such applicants may be required to register additionally to the first year LL B modules for modules of the B Juris programme not covered in their previous studies. The number of such modules shall not exceed three (3).

E.1.3 Should the Faculty decide that the student has to register for more than three (3) modules, as prescribed in rule E.1.2 above, from the modules prescribed for the degree of B Juris, such a student shall be allowed to register only for the said modules after the completion of which he/she shall be admitted to the programmes of the LL B.

NB. Students are advised that the LL B degree is the qualification for admission to the JTC for the purpose of pursuing the training programme stipulated under the Legal Practitioners Act, 15 of 1995 as one of the requirements to practice law in Namibia.

E.1.4 A student who registered for full time studies cannot change to part time studies during the course of the year of registration. The same rule applies (*a fortiori*) to a student who registered for part time studies

E.2 DURATION OF STUDY

E.2.1 The full time LL B programme extends over a period of at least two (2) years.

E.2.2 The full time LL B degree must be completed within three (3) years of study.

E.2.3 The said periods may only be exceeded with the authority of Senate.

E.3 CURRICULUM COMPILATION

The curriculum for the full time LL B degree is as follows:

FIRST YEAR

Year-Long Modules:	
LAD3130	Administrative Law
LCO3120	Company Law
LEN3120	Environmental Law
LPR3120	Private International Law
LPU3120	Public International Law

Semester One Modules:		Semester Two Modules:	
LCU3121	Customary Law IV	LCN3132	Conveyancing and Notarial Practice
LCA3121	Credit Agreements	LIS3122	Law of Insolvency
LIN3121	Insurance Law	LN3122	Negotiable Instruments
LMA3121	Maritime Law		

SECOND YEAR

Year-Long Modules:	
LAC3230	Accountancy for Lawyers
LCC3220	Criminology and Crime Prevention
LDI3220	Dissertation (LLB)
LIE3230	International Economic Law
LJU3220	Jurisprudence
LPS3230	Practical Legal Studies/Legal Aid Clinic II

Semester Modules:		Semester Two Modules:	
LCO3221	Comparative Law	LSU3222	Law of Succession
		LTA3222	Tax Law

E.4 MODULE CODES AND RESTRICTION ON MODULES

A student will not be admitted to a specific course if s/he does not meet the requirements for the particular course. Before a student can continue with a course, the preceding relevant course must be passed.

The following abbreviations are used in the "Duration" column:

- Y Year-Long Module
- 1 Semester One Module
- 2 Semester Two Module

FIRST YEAR:

MODULES	DURATION	PRE-REQUISITES
LCA3121 Credit Agreements	1	LCT3110 Law of Contract
LCU3121 Customary Law IV	1	LCU3302 Customary Law III
LIN3121 Insurance Law	1	LCT3110 Law of Contract
LMA3121 Maritime Law	1	None
LCN3132 Conveyancing and Notarial Practice	2	LPR3210 Law of Property
LIS4402 Law of Insolvency	2	LCT3110 Law of Contract
LNI4402 Negotiable Instruments	2	LCT3110 Law of Contract
LAD3130 Administrative Law	Y	None
LCO3120 Company Law	Y	None
LEN3120 Environmental Law	Y	None
LPR3120 Private International Law	Y	None
LPU3120 Public International Law	Y	None

SECOND YEAR:

MODULES		DURATION	PRE-REQUISITES
LCO3221	Comparative Law	1	None
LSU3222	Law of Succession	2	None
LTA3222	Tax Law	2	None
LLAC3230	Accountancy for Lawyers	Y	None
LCC3220	Criminology and Crime Prevention	Y	None
LDI3220	Dissertation (LLB)	Y	None
LIE3230	International Economic Law	Y	None
LJU3220	Jurisprudence	Y	None
LPS3230	Practical Legal Studies/Legal Aid Clinic II	Y	LPS3300 Practical Legal Studies I

E.5 EXAMINATION REGULATIONS

See **General Prospectus: Information & Regulations** for Special Regulations.

E.6 ACADEMIC ADVANCEMENT RULES

The following should be considered when calculating the number of modules:

Double (Year-long) Module offered over four (4) periods per week = 2

Double (Year-long) Module offered over two (2) periods per week = 1

Semester Module offered over four (4) periods per week = 1

Semester Module offered over two (2) periods per week = ½

A student is eligible to register for his/her subsequent year of studies if he/she has,

- E.6.1 at the end of the first year, passed seven (7) out of the prescribed ten (10) first year LL B modules
- E.6.2 a student admitted to the LL B programme with outstanding modules for the degree of B Juris (Rule E.1.1) shall not be eligible to register for his/her second year of LL B studies unless he/she passed all modules prescribed for the degree of B Juris
- E.6.3 at the end of the second year, passed all outstanding modules in order to be awarded the LL B degree.

E.7 MINIMUM REQUIREMENTS FOR RE-ADMISSION INTO THE FACULTY

A student will not be re-admitted into the Faculty unless s/he passed at least:

- E.7.1 THREE modules by the end of the first year of registration
- E.7.2 SEVEN modules by the end of the second year of registration [outstanding seven (7) first year modules plus at least (4) out of the (10½) second year modules]
- E.7.3 The above-mentioned implies that a student who does not complete the LL B degree within the prescribed duration of study, has one year left to complete the remaining six and a half (6½) modules.

E.8 AWARDING OF THE DEGREE OF LL B

- E.8.1 A student shall be awarded the degree of LL B if he/she passed all the modules prescribed.

F. BACHELOR OF LAWS (LL B) - PART TIME

F.1 ADMISSION

F.1.1 A student is eligible to register for the part time programme of LL B if he/she was awarded the degree of B Juris of the University of Namibia, or at the end of his/her fourth year of studies for the degree of B Juris on part time at UNAM, passed two (2) out of the five (5) modules prescribed for the fourth year of registration on part time, provided that all outstanding modules prescribed for the first year of registration, second year of registration and third year of registration have been passed OR passed five (5) out of the eight and a half (8½) third year modules prescribed for full time studies, provided that all outstanding first and second year modules have been passed.

F.1.2 Subject to the general rules for admission, applicants for admission to the LL B programme and holding the degree of B Juris or equivalent from Universities other than the University of Namibia may be admitted to the LL B programme by Senate on the recommendation of the Faculty Board. Such applicants may be required to register additionally to the modules prescribed for the first year of registration for LL B, for modules of the B Juris programme not covered in their previous studies. The number of such modules shall not exceed three (3).

F.1.3 Should the Faculty decide that the student has to register for more than three (3) modules, as prescribed in rule F.1.2 above, from the modules prescribed for the degree of B Juris, such a student shall be allowed to register only for the said modules after the completion of which he/she shall be admitted to the programmes of the LL B.

NB. Students are advised that the LL B degree is the qualification for admission to the JTC for the purpose of pursuing the training programme stipulated under the Legal Practitioners Act, 15 of 1995 as one of the requirements to practice law in Namibia.

F.1.4 A student who registered for full time studies cannot change to part time studies during the course of the year of registration. The same rule applies (*a fortiori*) to a student who registered for part time studies

F.2 DURATION OF STUDY

F.2.1 The part time LL B programme extends over a period of at least three (3) years.

F.2.2 The part time LL B degree must be completed within four (4) years of study.

F.2.3 The said periods may only be exceeded with the authority of Senate.

F.3 CURRICULUM COMPILATION

The curriculum for the part time LL B degree is as follows:

FIRST YEAR OF REGISTRATION

Year-Long Modules:	
LAD3130	Administrative Law
LCO3120	Company Law
LPR3120	Private International Law

Semester One Modules:		Semester Two Modules:	
LCU3121	Customary Law IV	LCN3132	Conveyancing and Nolarial Practice
LCA3121	Credit Agreements	LIS3122	Law of Insolvency

SECOND YEAR OF REGISTRATION

Year-Long Modules:	
LEN3120	Environmental Law
LPU3120	Public International Law
LAC3230	Accountancy for Lawyers
LCC3220	Criminology and Crime Prevention

Semester Modules:		Semester Two Modules:	
LIN3121	Insurance Law	LNI3122	Negotiable Instruments
LMA3121	Maritime Law	LTA3222	Tax Law

THIRD YEAR OF REGISTRATION

Year-Long Modules:	
LDI3220	Dissertation (LLB)
LIE3230	International Economic Law
LJU3220	Jurisprudence
LPS3230	Practical Legal Studies/Legal Aid Clinic II

Semester Modules:		Semester Two Modules:	
LCO3221	Comparative Law	LSU3222	Law of Succession

F.4 MODULE CODES AND RESTRICTION ON MODULES

A student will not be admitted to a specific course if s/he does not meet the requirements for the particular course. Before a student can continue with a course, the preceding relevant course must be passed.

The following abbreviations are used in the "Duration" column:

- Y Year-Long Module
- 1 Semester One Module
- 2 Semester Two Module

FIRST YEAR OF REGISTRATION:

MODULES		DURATION	PRE-REQUISITES
LCA3121	Credit Agreements	1	LCT3110 Law of Contract
LCU3121	Customary Law IV	1	LCU3302 Customary Law III
LCN3132	Conveyancing and Notarial Practice	2	LPR3210 Law of Property
LIS3122	Law of Insolvency	2	LCT3110 Law of Contract
LAD3130	Administrative Law	Y	None
LCO3120	Company Law	Y	None
LPR3120	Private International Law	Y	None

SECOND YEAR OF REGISTRATION:

MODULES		DURATION	PRE-REQUISITES
LIN3121	Insurance Law	1	LCT3110 Law of Contract
LMA3121	Maritime Law	1	None
LNI3122	Negotiable Instruments	2	LCT3110 Law of Contract
LTA3222	Tax Law	2	None
LEN3120	Environmental Law	Y	None
LPU3120	Public International Law	Y	None
LLAC3230	Accountancy for Lawyers	Y	None
LCC3220	Criminology and Crime Prevention	Y	None

THIRD YEAR OF REGISTRATION:

MODULES		DURATION	PRE-REQUISITES
LCO3221	Comparative Law	1	None
LSU3222	Law of Succession	2	None
LDI3220	Dissertation (LLB)	Y	None
LIE3230	International Economic Law	Y	None
LJU3220	Jurisprudence	Y	None
LPS3230	Practical Legal Studies/Legal Aid Clinic II	Y	LPS3300 Practical Legal Studies I

F.5 EXAMINATION REGULATIONS

See **General Prospectus: Information & Regulations** for Special Regulations.

F.6 ACADEMIC ADVANCEMENT RULES

The following should be considered when calculating the number of modules:

Double (Year-long) Module offered over four (4) periods per week = 2

Double (Year-long) Module offered over two (2) periods per week = 1

Semester Module offered over four (4) periods per week = 1

Semester Module offered over two (2) periods per week = ½

A student is eligible to register for his/her subsequent year of studies if he/she has,

- F.6.1 at the end of the first year of registration, passed four and a half (4½) out of the six and a half (6½) modules prescribed for the first year of registration.
- F.6.2 at the end of the second year of registration, passed four (4) out of the seven (7) modules prescribed for the second year of registration, provided that all outstanding modules prescribed for the first year of registration, have been passed.
- F.6.3 a student admitted to the LL B programme with outstanding modules for the degree of B Juris (Rule F.1.1) shall not be eligible to register for his/her second year of registration for the LL B studies unless he/she passed all modules prescribed for the degree of B Juris.

F.7 MINIMUM REQUIREMENTS FOR RE-ADMISSION INTO THE FACULTY

A student will not be re-admitted into the Faculty unless s/he passed at least:

- F.7.1 TWO modules by the end of the first year of registration
- F.7.2 SEVEN AND A HALF modules by the end of the second year of registration [outstanding four and a half (4½) modules prescribed for the first year of registration plus three (3) modules prescribed for the second year of registration]

F.7.3 FOURTEEN AND A HALF modules by the end of the third year of registration [all modules prescribed for the first year of registration (6½) plus five (5) out of the seven (7) outstanding modules prescribed for the second year of registration plus three (3) modules prescribed for the third year of registration]

F.7.4 The above-mentioned implies that a student who does not complete the LL B degree within the prescribed duration of study, has one year left to complete the remaining six (6) modules.

F.7.5 A student may only register for a maximum of two times for the same year of study. This is subject to the duration of study for the part time LL B degree. The maximum duration of study for the part time LL B degree is 4 years.

F.8 AWARDING OF THE DEGREE OF LL B

F.8.1 A student shall be awarded the degree of LL B if he/she passed all the modules prescribed.

F.9 LL B DISSERTATION REGULATIONS (LDI4520)

F.9.1 INTRODUCTION

All LL B students are required to write a dissertation in their final year. In order to expose students to various research techniques, lectures and/or seminar on research methods will be conducted during the first semester of the first year of the LL B programme.

In writing the dissertation, the student should seek to provide clear analytical methodology and clearly articulated theoretical perspectives on the subject matter. The dissertation may not be wholly theoretical, but it should have a theoretical component in examining the problem area chosen.

F.9.2 SELECTION OF TOPICS

Subject to availability of supervisors, any area of law may be selected as a dissertation topic.

F.9.3 SUPERVISION

Each student will, as far as possible, and depending on the lecturer's expertise, be allowed to have a supervisor of his/her own choice. Where a student is unable to secure a supervisor of his/her own choice, the co-ordinator of the course "Dissertation" shall allocate a supervisor to the student. The co-ordinator reserves the right, in appropriate circumstances, to re-allocate a supervisor to the student.

F.9.4 STAGES OF DISSERTATION

The writing of a dissertation is a yearlong process which requires self-discipline and organisation. To ensure that the highest quality work possible is produced, students are required to submit three preliminary documents during the course of the year indicating the progress they have made. Each student must produce each of the three documents by the dates specified. Students should please note:

F.9.4.1 All documents from the general proposal to the final dissertation are to be handed to the Faculty and each student must ensure that he/she signs against his/her name on the list provided by the Faculty. The documents shall then be distributed to the lecturers concerned by the co-ordinator.

F.9.4.2 All documents shall contain

- the title of the dissertation,
- the student's name,
- the supervisor's name, and
- the date of submission.

F.9.4.3 The usual academic rules on citation of works consulted are to be fully complied with. Plagiarism - the passing off of the thoughts and ideas of others as one's own, - whether deliberate or not, will be severely penalised.

F.9.5 DISSERTATION TIMETABLE

The following is the timetable for the completion of the various stages involved in the writing of the dissertation:

F.9.5.1 GENERAL PROPOSAL

F.9.5.1.1 All lecturers shall be available to discuss possible dissertation topics with students during the first term. At the end of this period, students shall be required to submit a (typed) General Proposal for a dissertation.

F.9.5.1.2 This should be about 500 words in length, and contain a general statement of the problem to be researched as well as a brief description of likely methods (e.g. archival research, questionnaire, library research, field research through interviews or survey).

- F.9.5.1.3 It is the duty of every student to arrange appointments with the chosen supervisor to discuss the proposed research topic prior to submission to the Faculty. The supervisor shall ensure that the topic chosen is both viable and relevant to the academic and research concern of the Faculty.
- F.9.5.1.4 The co-ordinator shall, immediately after the submission of the General Proposals, convene a meeting (Dissertation Committee) of all supervisors where each dissertation topic shall be reviewed and approved, amended or rejected. The Dean shall be ex-officio member of the Dissertation Committee. He/she may appoint any other Faculty member to sit on the Committee on his/her behalf.
- F.9.5.1.5 Where a proposed research area has already been covered in a previous dissertation, the student concerned shall not be allowed to undertake research in that area.
- F.9.5.1.6 A final list of students, supervisors and topics chosen shall be published.
- F.9.5.1.7 Changes of topics or supervisors shall only be allowed before the date of submission of the detailed proposal. Reasons shall be given by the student for the intended change in writing. The Dissertation Committee shall decide on the proposed change. No further change will be allowed after the date of submission of the detailed proposal.

Date of Submission: 26 February 2007

F.9.5.2 DETAILED PROPOSAL

- F.9.5.2.1 The detailed proposal (typed) is a fuller statement of the research topic. It should be drawn up after consultation with the supervisor. It should be about 1000 words in length, and contain a statement of the topic of the research, research methods to be used and a list of the main scholarly works which will be consulted.
- F.9.5.2.2 It is the duty of every student to arrange appointments with the chosen supervisor to discuss the progress of the work and problems, as the case may be.
- F.9.5.2.3 The Detailed Proposal shall be submitted to the Faculty. The co-ordinator shall, immediately after the submission of the Detailed Proposals, convene a meeting of the Dissertation Committee where the Detailed Proposal shall be reviewed and approved, amended or rejected.

Date of Submission: 26 March 2007

F.9.5.3 DRAFT DISSERTATION

- F.9.5.3.1 The bulk of the research should be carried out during the second term. The (typed) draft of the dissertation shall, as far as possible, be a full-length presentation of all the arguments and points to be made in the final dissertation. The usual rules about footnotes, quotation marks and references, apply to the draft.
- F.9.5.3.2 It is the duty of every student to arrange appointments with the chosen supervisor to discuss the work done and problems, as the case may be. The Draft Dissertation shall be read and commented on by the co-ordinator.
- F.9.5.3.3 The Draft Dissertation shall be submitted to the Faculty. The co-ordinator shall, immediately after the submission of the Draft Dissertations, convene a meeting of the Dissertation Committee of all supervisors where the Draft Dissertations shall be reviewed and approved, amended or rejected.

Date of Submission: 27 August 2007

F.9.5.4 DISSERTATION

- F.9.5.4.1 The completed dissertation must:
- be of a minimum of 10000 words but not exceeding 20000 words in length,
 - be properly footnoted,
 - contain a full and properly referenced bibliography, and
 - be in one-and-half or double-spaced typing,
 - contain the properly filed form attached as Schedule A.
- F.9.5.4.2 The Dissertation shall be submitted to the Faculty in three copies plus an electronic copy on CD.

Date of Submission: 29 October 2007

F.9.6 MARKING

- F.9.6.1 To ensure maximum consistency of marking across different supervisors, the following shall be taken into account:
- theoretical and methodological clarity,
 - originality of arguments,
 - quality and synthesis of research,
 - quantity of research,
 - orderly nature of presentation,
 - footnotes, bibliography, language use, and
 - overall quality.
- F.9.6.2 The Faculty shall submit one copy directly to the co-ordinator and two copies to the Examinations Department, which in turn will provide the supervisor and the external examiner of the respective subjects with a copy.
- F.9.6.3 The dissertation shall be read by the co-ordinator who will pass his/her comments on to the supervisor. The supervisor and the external examiner shall mark the dissertation thereafter. Otherwise, the examination rules of the UNAM shall apply as the case may be.

F.9.7 LATE SUBMISSION, FAILURE OF SUBMISSION, FAILURE OF PASS MARK

- F.9.7.1 A student may not proceed to the next stage without submitting a document required at an early stage, e.g. a student cannot proceed to the first draft without submitting a detailed proposal. Failure to submit the draft dissertation or the main dissertation shall mean the student will have failed the course.
- F.9.7.2 Supervisors may at their discretion and in consultation with the co-ordinator give reasonable extensions (not more than 7days in each case) in deserving cases. The supervisor shall, at each stage, ensure that the students supervised by him/her submit documents on the required dates and also ensure that where extensions are granted students adhere to the period of the extensions.
- F.9.7.3 If the late or non-submission is the result of illness or some other excusable cause a student shall be required to substantiate it with medical or other satisfactory evidence.
- F.9.7.4 Subject to Rule C.2 (Duration of Study) of the Faculty of Law, a student who received a mark of less than 50% and more than 44% for his/her Dissertation shall be allowed to re-register for Dissertation in the following Academic Year and to submit an amended version of his/her original Dissertation within four months.

A student who received a mark of 44% or less in his/her original Dissertation shall be allowed to re-register for Dissertation and to proceed as stipulated in these Regulations and the Rules of the Faculty concerning failure of courses.

A student who fails to obtain a pass mark in his/her amended version of his/her Dissertation shall be allowed to proceed with Dissertation and to submit a Dissertation on a different subject in accordance with the Dissertation Regulations before the end of the respective academic year.

SCHEDULE A

The first page of the Dissertation shall contain the following signed and dated declaration:

"I the undersigned, hereby declare that the work contained in this dissertation for the purpose of obtaining my degree of LL B is my own original work and that I have not used any other sources than those listed in the bibliography and quoted in the references."

Signature:

Date:

G. MASTER OF LAWS (LL M) BY THESIS

The Faculty of Law offers a Master of Laws degree which shall be examined by thesis only in any field of law approved by the Faculty.

G.1 DEGREES

The following Master of Laws Degrees may be conferred in the following specialized areas:

MASTER OF LAWS	(ECONOMIC LAW) BY THESIS	16MLEC
MASTER OF LAWS	(THE LAW OF CRIMINAL JUSTICE) BY THESIS	16MLCR

G.2 ADMISSION

A person may be considered for admission as a candidate for the degree of Master of Laws if

- G.2.1 s/he has a very good law degree with at least a B-grade average (i.e. 70-79%) of the University or an equivalent degree of another University / institution recognized by the Senate, on the recommendation of the Faculty of Law, for the purpose: or
- G.2.2 s/he has in any other manner attained a level of competence, which in the opinion of Senate, on the recommendation of the Faculty of Law, is adequate for the purpose of admission as a candidate for the degree.

G.3 DURATION OF STUDY

- G.3.1 A full-time candidate shall complete the approved thesis for the degree within one (1) academic year; a part time candidate within two (2) academic years.
- G.3.2 The Faculty Board may, in justified cases, extend the duration of studies of a full-time candidate up to two (2) academic years and a part-time candidate up to three (3) academic years.

G.4 LL M THESIS REGULATIONS

G.4.1 APPOINTMENT OF SUPERVISORS

- G.4.1.1 In consultation with Senate, the Faculty Board shall appoint a Supervisor to advise and guide a candidate, whose research topic has been approved, and the candidate shall be required to work closely with the supervisor as Senate may direct.
- G.4.1.2 The candidate, after consultation and in agreement with the supervisor, will submit a research topic of the intended thesis to the Faculty in accordance with the guidelines issued by the Faculty Board from time to time.
- G.4.1.3 Faculty guidelines may prescribe the dates for the submission of research topic and proposals of the intended research, draft and final thesis, the format and deadlines to be observed in the process of preparation and presentation of the thesis.
- G.4.1.4 In case there are grounds which, in the opinion of the Faculty Board are sufficient and reasonable, the candidate may be permitted to submit the thesis at a date as may be determined by the Faculty Board.

G.4.2 SUBMISSION OF THESES

- G.4.2.1 At least two months prior to the scheduled date for the submission of the thesis the candidate shall submit a written notice of his/her intention to submit the thesis to the Faculty Board through his/her respective supervisor.
- G.4.2.2 The notice shall be accompanied by an abstract of between 300 and 400 words being a summary of the general findings and conclusions reached.

G.4.3 FINAL THESIS

- G.4.3.1 The thesis shall be accompanied by a declaration stating that it has not been submitted for a similar degree in any other University.
- G.4.3.2 The thesis must contain an abstract of between 300 and 400 words being a summary of the general findings and conclusions reached.
- G.4.3.3 Every thesis submitted shall be examined by at least two examiners, at least one of whom shall be an examiner external to the University.
- G.4.3.4 The examiners shall be required to submit a detailed assessment of the thesis, and also write definite recommendations on whether the degree should be awarded to the candidate unconditionally, or whether the degree should be awarded subject to specified corrections/revisions being made, or whether the thesis should be referred back to the candidate for re-writing and re-submission, or whether the thesis should be rejected outright.
- G.4.3.5 In case where the examiners of the thesis disagree in their recommendations the Faculty Board shall recommend to Senate the appointment of an additional independent examiner to serve as referee on the thesis.
- G.4.3.6 Without prejudice to the examination of the thesis described above, the Faculty Board may require the candidate to make an oral presentation on the contents of or on a topic covered in his/her thesis.

G.4.4. SUBSEQUENT PUBLICATION FROM A THESIS

Papers or publications extracted from a thesis submitted for a Master of Laws degree of UNAM must contain a statement acknowledging that the work is based on a thesis submitted to the University of Namibia.

G.5 AWARDING OF THE DEGREE OF LL M

A candidate who has satisfied all the regulations to the required standards shall be awarded a Master of Laws degree.

H. JUSTICE TRAINING CENTRE (JTC)

H.1 REGULATIONS

These regulations must be read in conjunction with the Memorandum of Understanding (JTC Memorandum) signed between the University of Namibia and the Ministry of Justice on 16th April, 1993.

H.1.1 COURSES OF STUDY

The Justice Training Centre, currently offers the following courses:

- the pre-service (induction) and in-service (capacity building) training courses for magistrates, prosecutors, interpreters, court clerks, police, defence, immigration and prison officers, and other law administration and enforcement personnel
- the Legal Professional Training Course for all law graduates who wish to qualify for admission to practise Law in Namibia under the Legal Practitioners Act 15 of 1995.
- the post-graduate diploma in conciliation mediation and Arbitration which is jointly conferred by the Universities of Namibia, Cape Town and Lesotho.

It is anticipated that the JTC's activities will be extended to encompass:

- the training course for Community Court Justices and Court Clerks.

Certificates

Certificate of attendance JTC

(16 CALA)

H.1.2 ADMISSION AND DURATION OF STUDY

In consultation with the relevant Ministries, all recently employed Magistrates, Police, Prison and Defence Forces Trial officers, Public Prosecutors, Police and Prison Prosecutors, Interpreters and Court Clerks shall be expected to attend an induction course. Courses of a minimum of one month's duration will be offered to inductees in the Magistracy; Prisons and Correctional Services; and the Immigration Department.

The capacity building courses will take the form of continuous education programmes and will thus be offered annually to public servants whose duties have some connection with the law. Courses will last between one week to 3 months depending on specified and or identified needs.

Only those candidates in possession of an LL B degree or an approved degree supplemented by a bridging course will be eligible to enrol for the Legal Professional Training Programme. The course shall similarly be of 9 months duration.

To register for the proposed non-degree Magistrates and Prosecutors courses, a candidate must hold a School Leaving Certificate with a minimum score to be determined by the JTC according to availability of places. Both courses will last 9 months on a full time basis and will follow the University General Information and Regulations Prospectus.

Applicants seeking admission as mature students must satisfy entry qualifications as specified in the General Information and Regulations Prospectus and may be required, in addition, to attend interviews and/or tests designed to assess their suitability for admission to the programme.

In general, admission to all courses will be on merit and will depend on availability of places and resources. The mere satisfaction of entrance requirements will therefore not guarantee admission to any of the various programmes.

H.1.3 CURRICULUM

Court Clerks

General Legal Administration

Management and Financial Administration

Interpreters

Communication skills

Basic Criminal Procedure and Evidence

Court Vocabulary and words and Phrases

Duties and ethics of a Court Interpreter and,

Practicals (Criticism, role play, and decorum)

Magistrates, Presiding and Prosecuting Officers in and Investigating Officers for the Judiciary, Prosecutor General's Chambers, the Defence, Police, Prisons and the Correctional Services and the Immigration
The Namibian Constitution

Criminal law
 Labour law
 Gender Law
 Law of Evidence
 The Criminal Procedure
 Human Rights Law
 The Magistrates' Court Act
 Review cases
 Sentencing
 Practicals (criticism, role play and actual conduct of proceedings)
 Advocacy and Ethics
 Evaluating a Police Docket prior to trial, and the setting-down of cases
 Securing the presence of the accused and witnesses for trial, Drawing of charges and,
 The conduct of and logical presentation of evidence at a trial
 Statutory Interpretation
 The Citizens Act
 The Immigration Act
 The Prisons Act
 The Defence Act
 The Military Disciplinary Code
 Rules of court concerning court materials
 Comparative Law
 Book-keeping
 Communication Skills

Police and Prison Investigating Officers

In co-operation with the Police training college, additional courses in the following subjects are offered:

Techniques in investigation
 The collection and collation of evidence
 Relevance and sufficiency of evidence
 Criminology

Non-Degree Magistrates and Prosecutors Course/Community Court Justices

Whilst a curriculum is set to be devised for these courses, it is anticipated that the courses will emphasize on those subjects which are relevant to a practitioner within the criminal justice system, e.g.:

Communication skills
 Introduction to Principles of Roman Dutch Law
 Criminal Law
 Evidence
 Customary Law
 Criminal Practice and Procedure in the lower courts
 Civil Procedure in lower courts
 Criminology
 Statutory Interpretation
 Human Rights
 Legal Drafting (pertaining to indictments, charges, further particulars etc.)
 Sentencing
 Constitutional and Administrative Law

Attachment programme

It is envisaged that during the University holidays, candidate Magistrates, Prosecutors and Community Court Justices will be attached to different courts around the country to gain practical experience of the subjects on offer. The attachment will be monitored by the JTC and the host station will be required to submit a written report on the candidates' progress.

The Legal Professional Training Course

Professional Conduct and Ethics, including duties and functions of legal practitioners and techniques of Advocacy in the courts
 Introduction to Principles of Roman-Dutch Law
 Practical Bookkeeping and Accounts
 The Law, Practice and Procedure of Conveyancing

Administration of Estates

The Practice and Procedure relating to the Law of Insolvency and Trusts
 The Practice and Procedure relating to Company Law and Commercial Transactions
 Civil Practice and Procedure in the Supreme Court, High Court and Lower Courts
 Criminal Practice and Procedure in the Supreme Court, High Court and Lower Courts
 The Practice and Procedure relating to Family Law
 Evidence
 The Namibian Constitution, and
 Interpretation of Statutes

Attachment Programme

During the entire 9 months period, each candidate legal practitioner will be attached to a 'Practising Principal' in a law firm and/or the Legal Aid Directorate for a period of not less than 60 hours per month. Attachments for a period not exceeding 3 months may also be entered into with the offices of the Prosecutor General.

Contracts of Attachments must be entered into not later than the date of commencement of the candidates' attendance of the course except where the Board for Legal Education prescribes a later date. Candidates should note that attachment is a prerequisite to admission to practise law and a candidate who has successfully completed his examinations will nonetheless be ineligible for admission until this requirement has been fully complied with during or after the course.

H.1.4 EXAMINATION REGULATIONS

For the Non-Degree Magistrates and Prosecutors course, the Community Court Justices and the court clerk courses, the normal University Examination Regulations vis-à-vis year marks, formal written examinations, pass marks, oral examinations (as set out in Regulation A.11 of the Law Faculty's general regulations) will apply.

In consultation with the University's administration, the Law Faculty and the Ministry of Justice, the JTC will however determine when courses shall commence and terminate and when examinations will be written.

In addition, the Non-Degree Magistrates and Prosecutors may be required to write and submit a dissertation.

To graduate, each candidate must obtain a mark of at least 50% for his/her dissertation.

For the Legal Professional Training Course, the Candidate Legal Practitioners Regulations GN 228 of 1995, Published in Gazette No. 1207 dated 12 December, 1995 will apply. In terms thereof, the Legal Practitioners Qualifying Examination shall be conducted in accordance with such instructions as may have been issued by the Board for Legal Education.

Candidates should note the following differences from the University regulations:

- there will be no requirement for a year mark;
- the pass mark for the formal written examinations will be 45%. 75% or more will be a distinction;
- candidates scoring between 40% - 44% will qualify for an oral examination before the Board;
- candidates shall be required to pass in every subject of the examination, except in so far as he/she may have been granted an exemption;
- after the initial sitting for examinations in any subject, re-sits or retaking of the examination in respect of subjects not passed will be allowed for a total of four times only;
- after the fourth re-sit has been taken, a candidate shall be barred from re-taking the whole or any part of the examination within five years of his/her last attempt.
- every Candidate Legal Practitioners shall maintain a diary; and
- Candidate Legal Practitioners shall be required to write the Mid-Term Examination.

All courses, subjects, curricula and examinations may be changed subject to consultations with the Minister of Justice and the Board for Legal Education.

I. HUMAN RIGHTS AND DOCUMENTATION CENTRE (HRDC)

The Human Rights and Documentation Centre (HRDC) was created on the basis of a Memorandum of Understanding between the Ministry of Justice and the University of Namibia in April 1993. The HRDC is part of the Faculty of Law and has departmental status. The Centre is headed by the occupant of the UNESCO Chair: Human Rights and Democracy as Executive Director. Its day- to-day activities are run by the Managing Director of the Centre. An Advisory Board assists the Centre in framing its policy and general programmes.

The documentation section of the Centre holds a broad collection of human rights and human rights-related material, available to scholars, students and the general public. The Centre's website is accessible through the UNAM website: www.unam.na

The Centre's general mission is to create and cultivate a sustainable culture of human rights and democracy in Namibia.

Specific elements of its mandate include:

- documentation and maintenance of materials on human rights for the use of lawyers, scholars, and the general public;
- dissemination of information and materials on human rights;
- preparation of teaching materials on basic human rights issues for use at all levels of public education;
- preparation of curricula on human rights for use in the schools;
- organising and holding conferences, workshops, seminars, and courses on human rights;
- review and reporting on the human rights situation in Namibia and Southern Africa.

The HRDC is responsible for teaching human rights in the Faculty of Law, but also provides other faculties with lectures on request. The Centre is involved in all kinds of extra-mural human rights activities.

J. SYLLABI

J.1 BACCALAUREUS JURIS (B JURIS) (FULL TIME AND PART TIME)

FIRST YEAR MODULES

J.1.1 ENGLISH COMMUNICATION AND STUDY SKILLS

ENGLISH COMMUNICATION & STUDY SKILLS FOR ACADEMIC PURPOSES

UCA3119

Four hours per week lectures (First Semester: Module)
One paper (two hours)
Pre-requisite: None

Course Outline:

- Academic reading;
- Critical reading

Developing all reading skills

Academic listening and note taking;

Academic speaking – individual oral presentations;

Academic writing;

Library research-based essay, interpretation and explanation of graphics in writing and academic summaries

Course assessment items:

Continuous Assessment mark will contribute sixty percent (60%) to the final mark.

ENGLISH COMMUNICATION AND STUDY SKILLS FOR LAW STUDENTS

UCL3112

Four hours per week lectures (Second Semester: Module)

One paper (two hours)

Pre-requisite: Eng. Communic. & Study Skills for Acad. Purposes (UCA3119)

Course Outline:

- Reading complex legal texts;
- Reading of judgment of court cases;
- Writing of argumentative texts;
- Note taking and summarizing texts;
- Drafting of legal document in plain English

Course assessment items:

Continuous Assessment mark will contribute sixty percent (60%) to the final mark.

J.1.2 COMPUTER LITERACY

UCC3109

Two hours per week lectures (Second Semester: Half Module)

Pre-requisite: None

Course Outline:

The Practical use of computers:

Windows,

Word Processing,

Spreadsheets,

Databases

and other common software.

Course assessment items:

Continuous Assessment mark will contribute hundred percent (100%) to the final mark.

J.1.3 CONTEMPORARY SOCIAL ISSUES

UCI3109

Two hours per week lectures (First Semester: Half Module)

Pre-requisite: None

Course Outline:

- Orientation in Ethics:

Values, standards and attributes: Roots of values, standards and attitudes; Importance to agree on core values; "golden rule" (every human must be treated humanely); towards a culture of non-violence and respect for life; towards a culture of solidarity and just economic order; towards a culture of tolerance and life in truthfulness; towards a culture of equal rights and partnership.

- Introduction to gender issues:
Social perspectives and concepts relating to gender studies; basic theories of society; negative aspects of gender relations; examining approaches to gender equality.
- HIV/AIDS:
Background status of HIV/AIDS – national and international, physiological approach of HIV/AIDS, stages, modes of transmission, cause and symptoms of HIV/AIDS; HIV testing and pre- and post-counseling – diagnosing HIV infection, HIV antibody test, HIV infection, counseling; Primary prevention of HIV/AIDS and opportunistic infections – promoting safe sex protocols, reduce risk behaviors, promoting a healthy life style; primary care for symptomatic and asymptomatic HIV disease and AIDS – principles of management, anti-retroviral therapy, treatment of opportunistic infections, including nutritional care; HIV/AIDS support systems on campus and within the community.

Course assessment items:

Continuous Assessment mark will contribute hundred percent (100%) to the final mark.

J. 1.4 CRIMINAL LAW I (GENERAL PRINCIPLES) LCR3111

Four hours per week lectures (First Semester: Module)

One paper (three hours)

Pre-requisite: None

Course Outline:

- General principles of criminal liability: Actus reus, mens rea, special factors that bear on mens rea or capacity
- General defences: Consent, necessity, compulsion, obedience to orders, private defence, impossibility, de minimis, mistake of fact, mistake of law and criminal capacity;
- Inchoate crime: Incitement, conspiracy and attempt;
Forms of Participation: Socius criminis, common purpose and accessory after the fact.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J. 1.5 CRIMINAL LAW II (SPECIFIC OFFENCES) LCR 3112

Four hours per week lectures (Second Semester: Module)

One paper (three hours)

Pre-requisite: Criminal Law I (LCR3111)

Course Outline:

- Crimes against the person: murder, culpable homicide and assault;
- Crimes against property: theft, robbery, extortion and housebreaking;
- Crimes against the state and community: treason (and cognate crimes), public violence, perjury, contempt of court, crimen injuria and rape, fraud, arson and malicious damage to property, defeating or obstructing the course of justice and compounding.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J. 1.6 INTRODUCTION TO LAW LIL3110

Four hours per week lectures (Year-long: Double Module)

One paper (three hours)

Pre-requisite: None

Course Outline:

The course will in general examine critically the nature, sources, institutions and techniques of the law, and will, in particular, deal with the following topics:

- The nature and function and subject matter of law;
- The relation between law, society and development;
- Introduction to legal methods;
- Survey of the origins and historical development of the law of Namibia;
- The sources of law:
 - customary law
 - legal writers - old and modern
 - legislation
 - case-law (judicial precedent);
- The structure of the law (i.e. divisions and contents of the law and the supremacy of the Constitution) generally and of the law of Namibia in particular;
- The separation of governmental powers into the Executive, Legislative, and Judicial.
- The doctrines of constitutionalism and the rule of law.
- The sovereignty of Parliament and the supremacy of the Constitution and their consequences;

- The structure of the Courts, the legal profession and the administration of justice;
- Criminology.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.1.7 LAW OF CONTRACT

LCT3110

Four hours per week lectures (Year-long: Double Module)

One paper (three hours)

Pre-requisite: None

Course Outline:

- Formation and the nature of a contract;
- Consensus (quasi-mutual assent; estoppel);
- Offer and acceptance;
- Capacity, formalities, terms, conditions, warranties, exemptions and the Parol Evidence rule, misrepresentations, mistake, duress, undue influence, illegality and public policy, plurality of parties, privacy, cession, performance, breach, remedies and termination of contract.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.1.8 SOCIOLOGY

SOC3110

Four hours per week lectures (Year-long: Double Module)

One paper (three hours)

Pre-requisite: None

Course Outline:

This course is designed to introduce students to the discipline of Sociology. It focuses on three theoretical perspectives. These are the functionalist, the conflict and the interactionist perspectives. We shall trace their historical development and critically assess their assumptions.

The second section of the course is concerned with more substantive sociological issues and ideas. We introduce the student to the major concepts such as

- society, socialization, consensus, conflict, social structure, social action,
- culture, power, social identities, etc.
- Among the topics that will be tackled will be law and society,
- Social inequality,
- Deviance and crime,
- Sex and gender,
- State and politics, culture, social institutions (such as education, family, religion, etc.)
- We shall also look at issues of social change in Namibia and Southern Africa.

Course assessment items:

Continuous Assessment mark will contribute sixty percent (60%) to the final mark.

SECOND YEAR MODULES

J.1.9 COMMERCIAL LAW

LCM3200

Two hours per week lectures (Year-long: Module)

One paper (two hours)

Pre-requisite: None

Course Outline:

- The contract of purchase and sale;
- The Lease Agreement;
- The Common-Law Contract of Service;
- Agency.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.1.10 CONSTITUTIONAL LAW

LCS3210

Four hours per week lectures (Year-long: Double Module)
One paper (three hours)
Pre-requisite: None

Course Outline:

- An introduction to the historical development of the Namibian Constitutional Law;
- The principles of interpreting the Constitution;
- Examination of general principles and basic concepts of the separation of powers (Legislative, executive, judicial); constitutionalism; rule of law; democracy;
- Citizenship;
- A critical examination of the operation of Chapter 3 of the Constitution on Fundamental Rights and Freedoms.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.1.11 CUSTOMARY LAW I

LCU3201

Two hours per week lectures (First Semester: Half Module)
One paper (three hours)
Pre-requisite: None

Course Outline:

- The course will give an overview of the societal relevance of customary law and traditional authority;
- Determine customary law as legal system;
- Describe the framework for the application and the ascertainment of customary law (including the conflict of laws) and
- Set out the principles applying to traditional government and traditional courts.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final year mark.

J.1.12 CUSTOMARY LAW II

LCU3202

Two hours per week lectures (Second Semester: Half Module)
Pre-requisite: Customary Law I (LAW3221)

Course Outline:

- Essential part of Customary Law II is field research, which will normally last for one week;
- In preparation of the research, the course will cover theoretical topics, such as the law in semi-autonomous fields and the theory of legal pluralism;
- The ethnography relevant to the selected research area will be presented;
- Research methods will be studied and guidelines for the writing of reports will be given;
- The reports will be analysed with emphasis on the areas of customary law covered by the reports.

Course assessment items:

Continuous Assessment mark/Field Report(s) will contribute hundred percent (100%) to the final mark.

J.1.13 GENDER LAW

LGE3202

Two hours per week lectures (Second Semester: Half Module)
One paper (three hours)
Pre-requisite: Human Rights Law (LHR3201)

Course Outline:

- The concept and theory of gender in relation to the Law;
- An examination of the various legal issues of Namibian law as they relate to gender;
- The interrelationship of sociological, psychological and legal aspects of gender.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.1.14 HUMAN RIGHTS LAW

LHR3201

Two hours per week lectures (First Semester: Half Module)
One paper (three hours)
Pre-requisite: None

Course Outline:

- Development of universal and regional human rights instruments;
- The "three generations" of human rights;
- International remedies of human rights violations;
- The African Charter on Human and People's Rights;
- International human rights instruments and domestic law;
- Selection of international instruments with special reference to instruments signed by Namibia.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.1.15 LAW OF PERSONS

LPE3201

Two hours per week lectures (First Semester: Half Module)

One paper (three hours)

Pre-requisite: None

Course Outline:

- The nature of legal personality;
- Status and capacity of a natural person;
- Parent and child relations;
- Minority;
- Guardianship and curatorship;

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.1.16 FAMILY LAW

LFA3212

Four hours per week lectures (Second Semester: Module)

One paper (three hours)

Pre-requisite: Law of Persons (LAW3261)

Course Outline:

- The law of husband and;
- Capacity to marry;
- Marriage requirements and ceremony;
- Personal consequences;
- Proprietary consequences;
- Dissolution of marriage.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.1.17 LAW OF PROPERTY

LPR3210

Four hours per week lectures (Year-long: Double Module)

One paper (three hours)

Pre-requisite: None

Course Outline:

- Classification of land in Namibia and the applicable law;
- The concept of property;
- Distinction between real and personal rights;
- Classification of things;
- Original acquisition of real rights;
- Derivative acquisition of real rights;
- Expropriation;
- Possession;
- Ownership;
- Rights of others, owners' obligations, common law and statutory regulations, co-ownership or joint ownership;
- Limited real rights, jura in re aliena, securities, mortgages, pledges, servitudes;
- Sectional titles, share blocks and property time sharing;
- Lease and mineral rights;
- Intellectual property rights;
- Land Reform in Namibia.

Course assessment items:

Continuous assessment mark will contribute forty percent (40%) to the final mark.

J.1.18 STATUTORY INTERPRETATION

LSI3201

Two hours per week lectures (First Semester: Half Module)
One paper (three hours)
Pre-requisite: None

Course Outline:

- General principles of interpretation;
- The functions of the courts;
- The canons of interpretation;
- Presumptions and maxims of interpretation.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final year mark.

THIRD YEAR MODULES

J.1.19 CIVIL PROCEDURE

LCI3300

Two hours per week lectures (Year-long: Module)
One paper (three hours)
Pre-requisite: None

Course Outline:

- The course deals with civil procedure in the Higher and Lower courts. It examines:
- The sources of the law of procedure;
- The pre-trial stage;
- The trial stage;
- Settlement, judgement and costs;
- Enforcement of judgements;
- Appeals and reviews.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.1.20 CRIMINAL PROCEDURE I

LCP3311

Four hours per week lectures (First Semester: Module)
One paper (three hours)
Pre-requisite: None

Course Outline:

- The history and sources of Namibian criminal procedure;
- Criminal jurisdiction of the Higher and Lower courts;
- The prosecution process;
- Rules relating to trial instruments and charges;

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.1.21 CRIMINAL PROCEDURE II

LCP3312

Four hours per week lectures (Second Semester: Module)
One paper (three hours)
Pre-requisite: Criminal Procedure I (LCP3311)

Course Outline:

- Trials;
- Sentencing;
- Reviews and appeals.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.1.22 CUSTOMARY LAW III

LCU3302

Two hours per week lectures (Second Semester: Half Module)

One paper (three hours)

Pre-requisite: Customary Law II (LCU3202)

Course Outline:

The course is designed to cover the areas of special customary law, such as the customary law of:

- Status of persons;
- Marriages and the family;
- Inheritance;
- Contracts and delicts;

Natural resources (including) land.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.1.23 LAW OF ASSOCIATIONS

LAS3300

Two hours per week lectures (Year-long: Module)

One paper (two hours)

Pre-requisite: None

Course Outline:

- A sole proprietor;
 - Partnership law;
 - The close corporation;
 - An introduction to company law (the concept of incorporation, the doctrine of disclosure and types of companies);
- Parastatals and their rationale.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.1.24 LAW OF DELICT

LDE3300

Two hours per week lectures (Year-long: Module)

One paper (three hours)

Pre-requisite: None

Course Outline:

- General principles;
- The nature and basis of delictual liability-the Aquilian action and the actio injuria;
- Elements of liability in the Aquilian action - wrongfulness, fault, causation, patrimonial loss, damages for pure economic loss;
- Defences to Aquilian liability- contributory negligence;
- Specific delicts;
- Nuisance;
- Trespass;

Defamation - elements of liability: defenses to defamation actions.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.1.25 LAW OF EVIDENCE

LEV3300

Two hours per week lectures (Year-long: Module)

One paper (three hours)

Pre-requisite: None

Course Outline:

Introduction; history of the Law of Evidence, some introductory concepts and the sources of the Law of Evidence;

- The exclusionary rules;
- Relevance and admissibility;
- Character;
- Similar facts;
- Opinion evidence;
- Previous consistent statements; Hearsay;
- The res gestae;
- Admission and confessions;
- Privilege;

- Unconstitutionally obtained evidence;
- Burden and standard of proof;
- Cogency and the quantum of proof;
- Corroboration and the cautionary rules;
- Presumptions;
- Facts of evidence that is unnecessary;
- Judicial notice;
- Formal admissions;
- The machinery of proof;
- The competence and compellability of witness;
- Viva voce evidence;
- Real evidence;
- Documentary evidence;
- Evidence obtained from instruments and devices.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.1.26 LABOUR LAW

LLA3300

Two hours per week lectures (Year-long: Module)

One paper (three hours)

Pre-requisite: None

Course Outline:

- The constitutional, statutory, common law and ILO framework of labour relations and conditions of employment in the private and public sectors;
- Rights of trade unions, employees and employers;
- Voluntary and statutory mechanisms for dispute resolution and collective bargaining;
- Employee discipline and dismissal;
- Affirmative action;
- Industrial injury;
- Social security and health and safety.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.1.27 PRACTICAL LEGAL STUDIES I

LPS3300

Two hours per week lectures (Year-long: Module)

One paper (two hours)

Pre-requisite: None

Course Outline:

Objective of the course:

The broad objective of the course is to provide practical legal training for students and to render service to those who are unable to afford the service of private practitioners.

The specific objective is to ensure that the students acquire a foundation of the fundamental skills and values that lawyers should have before assuming their role as members of the profession.

Course assessment items:

Continuous Assessment mark will contribute fifty percent (50%) to the final mark.

J.2 BACHELOR OF LAWS (LL B) (FULL TIME AND PART TIME)

FIRST YEAR MODULES

J.2.1 ADMINISTRATIVE LAW

LAD3130

Four hours per week lectures (Year-long: Double Module)

One paper (three hours)

Pre-requisite: None

Course Outline:

- The nature, scope and sources of administrative law;
- Administrative law relationship & legal subjects of the administrative law relationship;
- Administrative action;

- Requirements for a valid administrative action;
- Judicial control of administrative action;
- State liability for administrative action;
- Regional and Local Government law
- Selected areas of special administrative law (eg. Delegated Legislation, Law of Tribunal, The Ombudsman, Parastatals).

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.2.2 COMPANY LAW

LCO3120

Two hours per week lectures (Year-long: Module)

One paper (three hours)

Pre-requisite: None

Course Outline:

A detailed study of the Companies Act of 1973 including, inter alia:

- Types, concept of corporate liability;
- Formation, promoters, prospectus (offer of shares), transfer of shares, memorandum and articles of association, membership, share capital, shares, officers of a company, directors, meetings, annual financial statements, office of the auditor, winding up, criminal liability;
- Majority rule and minority interest, judicial management, dissolution and deregistration.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.2.3 CONVEYANCING AND NOTARIAL PRACTICE

LCN3132

Four hours per week lectures (Second Semester: Module)

One paper (three hours)

Pre-requisite: Law of Property (LPR3210)

Course Outline:

- General rules relating to preparation of deeds and documents;
- Deed of transfer;
- Power of attorney;
- Certificate of registered title;
- Certificate of consolidated title;
- Bonds;
- Servitudes;
- Sectional titles;
- Origin and development of the notarial office;
- Admission, suspension and removal of notaries;
- Drafting of documents;
- Authentication of documents;
- Commissioner of oaths;
- Antenuptial contracts;
- Donations;
- Trusts;
- Notarial bonds;
- Contracts relating to prospecting and mining leases;
- Powers of attorney;
- Wills;
- Bills of exchange and promissory notes;
- Maritime bonds and ships protests;
- Stamp duty.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.2.4 CREDIT AGREEMENTS

LCA3121

Two hours per week lectures (First Semester: Half Module)

One paper (three hours)

Pre-requisite: Law of Contract (LCT3110)

Course Outline:

- The doctrines of freedom and sanctity of contract;
- The emergence of the welfare state and origin consumerism and state intervention in personal contracts;
- Consumer finance;
- Detailed study of the credit agreements.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.2.5 CUSTOMARY LAW IV

LCU3121

Two hours per week lectures (First Semester: Half Module)

One paper (three hours)

Pre-requisite: Customary Law III (LCU3302)

Course Outline:

The course will approach customary law and traditional government from a comparative and a legal anthropological perspective.

Special emphasis will be laid on

- The constitutional recognition and protection of customary law and traditional government;
- The international debate about the rights of indigenous people;
- The role and function of traditional authorities within the overall state structures;
- The constitutional limitations of traditional rule.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final year mark

J.2.6 ENVIRONMENTAL LAW

LEN3120

Two hours per week lectures (Year-long: Module)

One paper (two hours)

Pre-requisite: None

Course Outline:

The course will cover, inter alia:

- A brief examination of the broad context of environment and sustainable development;
- The jurisprudentially nature of environmental law;
- policy issues;
- The nature scope and sources of environmental law;
- Environmental law relating to the exploitation and conservation of natural resources;
- Land-use, environmental and pollution control.

Course assessment items:

Continuous Assessment mark will contribute fifty percent (50%) to the final mark.

J.2.7 INSURANCE LAW

LIN3121

Two hours per week lectures (First Semester: Half Module)

One paper (two hours)

Pre-requisite: Law of Contract (LCT3110)

Course Outline:

Detailed study of the Short-term Insurance Act 4 of 1998 and the Long-term Insurance Act 5 of 1998, including inter alia:

- Insurance and its relationship to contract and delict;
- Sources of the Namibian Insurance Law;
- Nature and formation of the insurance contract;
- General principles of the Insurance Law (insurable interest, duty of good faith, warranties, agency, rights and obligations, risk and loss, re-insurance, over and under insurance, effect of indemnities, property, fire and motor vehicle insurance, marine insurance).

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.2.8 LAW OF INSOLVENCY

LIS3122

Two hours per week lectures (Second Semester: Half Module)

One paper (two hours)

Pre-requisite: Law of Contract (LCT3110)

Course Outline:

A detailed study of the Insolvency Act 24 of 1936 including, inter alia:

- The general principles of Namibian Insolvency Law and the administration of insolvent estates, including voluntary surrender, compulsory and friendly sequestrations, jointer parties, the effect of sequestration of the assets;
- Unexpected contracts, legal actions, capacity to act and the solvent spouse, voidable contracts, meetings of creditors;
- Voting and proof of claims, composition and rehabilitation.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.2.9 MARITIME LAW

LMA3121

Two hours per week lectures (First Semester: Half Module)

One paper (two hours)

Pre-requisite: None

Course Outline:

- The nature and origins of maritime law and its place in Namibian law;
- Admiralty;
- Jurisdiction;
- Contract of affreightments – bills of lading and charter parties.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.2.10 NEGOTIABLE INSTRUMENTS

LN13122

Two hours per week lectures (Second Semester: Half Module)

One paper (two hours)

Pre-requisite: Law of Contract (LAW3130)

Course outline:

A detailed study of the Bills of Exchange Act 34 of 1964, including inter alia:

- The concept of negotiability;
- Commercial uses of bills, cheques and promissory notes;
- Parties to the instruments;
- Rights and duties;
- The cambial obligation;
- The holder in due course and defences.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.2.11 PRIVATE INTERNATIONAL LAW

LPR3120

Two hours per week lectures (Year-long: Module)

One paper (three hours)

Pre-requisite: None

Course outline

General principles of International Private Law - in particular the choice of law relating to various topics:

- Domicile characterisation;
- Renvoi;
- Recognition and enforcement of foreign judgements.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final year mark.

J.2.12 PUBLIC INTERNATIONAL LAW

LPU3120

Two hours per week lectures (Year-long: Module)

One paper (three hours)

Pre-requisite: None

Course Outline:

- The nature and sources of international law;
- The relationship between international law and municipal law;
- Recognition of states and governments;
- Legal personality of international organisation;
- Individuals and corporations;
- Aliens;
- Jurisdiction;
- International Court of Justice;
- Treaties; Law of the sea, air, space and outer-space;
- The United Nations, war, peace and neutrality.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final year mark.

SECOND YEAR MODULES

J.2.13 ACCOUNTANCY FOR LAWYERS

LAC3230

Four hours per week lectures (Year-long: Double Module)

One paper (three hours)

Pre-requisite: None

Course Outline:

- Double entry bookkeeping;
- The accounting cycle;
- Posting and balancing of ledgers;
- Bank reconciliation;
- Legislation and the rules of the Law Society;
- Correspondents.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.2.14 COMPARATIVE LAW

LCO3221

Two hours per week lectures (First Semester: Half Module)

One paper (two hours)

Pre-requisite: None

Course Outline:

- Introduction to the nature and purposes of comparative law;
- The classification of the world's legal systems;
- Comparison of the characteristics of the civil and common law systems with some references to customary law systems;
- Codification - its nature and purpose;
- Capita selecta.

Course assessment items:

Continuous Assessment mark will contribute fifty percent (50%) to the final mark.

J.2.15 CRIMINOLOGY AND CRIME PREVENTION

LCC3220

Two hours per week lectures (Year-long: Module)

One paper (three hours)

Pre-requisite: None

Course Outline:

- The nature, history and meaning of deviancies and societal reaction to deviance;
- The incidence of crime in Namibia; sociological, psychological and biological aspects of criminality; the criminal process; penology and the sociology of penal institutions;
- Social and legal measures to prevent crimes.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.2.16 INTERNATIONAL ECONOMIC LAW

LIE3230

Four hours per week lectures (Year-long: Double Module)

One paper (three hours)

Pre-requisite: None

Course Outline:

- The course provides a basic understanding of the role which law plays in the international economic system and is divided into three parts;
- The first part examines the institutions and procedures which regulate international trade, investment and finance;
- Part two explores some aspects of the interpenetration between national and international law in the regulation of international business transactions;
- Part three studies specific business transactions such as international sales contract, licensing agreements, international joint ventures and agreements for the development of natural resources.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.2.17 JURISPRUDENCE

LJU3220

Two hours per week lectures (Year-long: Module)

One paper (three hours)

Pre-requisite: None

Course Outline:

The course will examine:

- The nature and scope of jurisprudence;
- The history and basic theories of law;
- The judicial treatment of rights and duties.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.2.18 LAW OF SUCCESSION

LSU3222

Two hours per week lectures (Second Semester: Half Module)

One paper (two hours)

Pre-requisite: None

Course Outline:

- Testate and intestate succession, vesting, legacies, bequests; condition, dies, modus, usufruct, substitution, adfiliation, election and massing, trusts;
- Relation between customary law of succession and Roman-Dutch derived law.

Course assessment items:

Continuous Assessment mark will contribute forty percent (40%) to the final mark.

J.2.19 PRACTICAL LEGAL STUDIES / LEGAL AID CLINIC II

LPS3230

Four hours per week lectures/ training/ counseling (Year-long: Double Module)

One paper (two hours)

Pre-requisite: Practical Legal Studies I (LPS3320)

Objective of the course:

The aim of this course is to train law students in skills required for legal practice. The course will cover work in the Legal Aid Clinic and preparation of legal documents and counseling. Each student shall be required to attend to clients in the Legal Aid Clinic in accordance with a prepared schedule.

Course Outline:

- Civil Trails: Selected topics, including a complete simulation;
- Trails Skills: Interviews, consultation for trails, statement taking theory of the case, evidence-in-chief, examination, argument, judgement and appeals;
- Motion Court: Selective topics, including provisional sentence, sequestration, applications Rule 43 and Edical citation;
- Legal Writing: Drafting letters, legal opinions, affidavits, heads of argument and pleadings;
- Legal Research, critical reasoning and alternative dispute resolution (ADR);
- Introduction to civil court practice;
- Detailed study of criminal court practice and labour court;
- Professional ethics.

Course assessment items:

Continuous Assessment mark will contribute fifty percent (50%) to the final mark.

J.2.20 TAX LAW

LTA3222

Two hour per week lectures (Second Semester: Half Module)

One paper (two hours)

Pre-requisite: None

Course Outline:

- The nature and origin of income taxation;
- The basic principles of taxation – income tax and capital gains tax;
- Company taxation;
- The process of taxation;
- General principles of law relating to trusts.

Course assessment items:

Continuous Assessment mark will contribute fifty percent (50%) to the final mark.

J.3 MASTER OF LAWS

See G.4 and General Information and Regulations Prospectus

K. ADVICE, INFORMATION AND GENERAL REGULATIONS

K. 1 ATTENDANCE OF LECTURES

See General Information and Regulations Prospectus

K. 2 ATTENDANCE OF SEMINARS/TUTORIALS

See General Information and Regulations Prospectus

K. 3 PART-TIME STUDIES/DISTANCE EDUCATION

The Faculty of Law offers the following qualifications on both full time and part time (evening classes):

- Baccalaureus Juris (B Juris)
- Bachelor of Laws (LL B)
- LL M programme (by thesis).

Some the full time B Juris and LL B modules may be offered in the evening due to the time-table division.

Prospective students should contact the Faculty Officer/Dean for further information.

The Faculty of Law does not offer the above-mentioned qualifications on Distance Education.

K. 4 ADMISSION

See General Information and Regulations Prospectus

K. 5 GENERAL INFORMATION

See General Information and Regulations Prospectus