

MASTER OF LAWS (Structured - 7801) / (Thesis – 7821)

H.26 ADMISSION

Unless Senate decides otherwise, candidates will be required to meet the following criteria to be enrolled for the programme: **Master of Laws – LLM (as indicated in H.29.1)**

H.26.1 Candidates must be in possession of a Bachelor of Laws degree obtained from a South African University or have obtained a Postgraduate Diploma in Law or have obtained another qualification which in the opinion of the Senate is of an equivalent standard (See also Rule A.2.1.4)

H.26.2 Candidates will be required to submit evidence of their ability in the proposed field of study if the Faculty requires it.

H.26.3 Candidates shall fulfil such further minimum requirements as the Faculty Board may determine from time to time.

H.26.4 Foreign/International candidates will be required to submit evidence of their English ability even if English was their language of instruction.

Minimum Scores

- IELTS 6.5 (with 6.0 in each section)
- TOEFL 600 (with 55 in each section and 4.0 in TWE)
- TOEFL-IBT 100 (with at least 20 in each section)
- A degree from a foreign English speaking University, with appropriate motivation, may be accepted in some circumstances.

H.27 SELECTION

As only a limited number of students can be admitted to the programme, applicants will be subject to a selection procedure.

H.28 DURATION

Unless Senate decides otherwise the duration of the programme shall be one year full-time and two years part-time, with a maximum period of study of three years.

H.29 CURRICULUM

H.29.1 The Masters of Laws programme is offered in the following areas of specialisation:

- Comparative Labour Law
- Comparative Constitutional Law
- Disability Law (Not Offered)
- Environment Law
- Human Rights Protection
- Law, State and Multilevel Government
- Mercantile Law
- Transnational Criminal Justice
- Criminal Justice

H.29.2 A student registered for the LLM degree in the Faculty of Law may follow any of the following Modes:

- MODE I: Four Modules and a Research Paper
- MODE II: Two Modules and a Mini-Thesis
- MODE III: Full Thesis

H.29.3 MODE I: Four Modules and a Research Paper (7801)

H.29.3.1 Comparative Labour Law

| Module Name | Alpha Code | Cred |
|---|-------------------|-------------|
| Compulsory | | |
| Research Paper (1st Enrolment) | LAB805 | 60 |
| Research Paper (2nd Enrolment) | LAB806 | |
| Law of Unfair Dismissal 812 | LAB812 | 30 |
| Dispute Resolution 811 | DPR811 | 30 |
| Labour Law in the New Global Market 811 | LAB811 | 30 |
| The Extension of Social Protection 811 | ESP811 | 30 |
| | TOTAL | 180 |

H.29.3.2 Comparative Constitutional Law

| Module Name | Alpha Code | Cred |
|--|-------------------|-------------|
| Compulsory | | |
| Research Paper (1st Enrolment) | CLL805 | 60 |
| Research Paper (2nd Enrolment) | CLL806 | |
| Comparative Constitutional Law | CCL811 | 30 |
| Constitutional Design In Divided Societies | CDS811 | 30 |
| Constitutional Rights Interpretation | CIN800 | 30 |
| Constitutional Law, Politics and Theory | CIN811 | 30 |
| | TOTAL | 180 |

H.29.3.3 Law, State and Multilevel Government

| Module Name | Alpha Code | Cred |
|--|-------------------|-------------|
| Compulsory | | |
| Research Paper (1st Enrolment) | MLG805 | 60 |
| Research Paper (2nd Enrolment) | MLG806 | |
| Multilevel Governance | CLL814 | 30 |
| Rule of Law and Good Governance | LGG811 | 30 |
| Local Government | LGL812 | 30 |
| Electives (Select 1 Module) | | |
| Constitutional Law Practice 811 (full-time only) | CLL811 | 30 |
| Constitutional Design In Divided Societies | CDS811 | 30 |
| | TOTAL | 180 |

H.29.3.4 Criminal Justice

Group 1

| Module Name | Alpha Code | Cred |
|---------------------------------------|-------------------|-------------|
| Compulsory | | |
| Research Paper (1st Enrolment) | TCJ805 | 60 |
| Research Paper (2nd Enrolment) | TCJ806 | |
| International Anti-Corruption Law 812 | IAL812 | 30 |
| International Criminal Law 811 | IHR811 | 30 |

| | | |
|---|--------------|------------|
| International Anti-Money Laundering Law 811 | OML811 | 30 |
| Transitional Justice 812 | IHR812 | 30 |
| | TOTAL | 180 |

Group 2

| Module Name | Alpha Code | Cred |
|--|--------------|------------|
| Compulsory | | |
| Research Paper (1st Enrolment) | TCJ805 | 60 |
| Research Paper (2nd Enrolment) | TCJ806 | |
| Anti-Corruption Law 811 | ACL811 | 30 |
| Constitutional Rights and Criminal Justice 812 | CLL812 | 30 |
| Anti-Money Laundering Law 811 | AML811 | 30 |
| Punishment and Sentencing 812 | LPS812 | 30 |
| | TOTAL | 180 |

H.29.3.5 Mercantile Law

| Module Name | Alpha Code | Cred |
|--|--------------|------------|
| Compulsory | | |
| Research Paper (1st Enrolment) | MER805 | 60 |
| Research Paper (2nd Enrolment) | MER806 | |
| Electives (select 4 modules) | | |
| Information and Communication Technology Law | CTL812 | 30 |
| Dispute Settlement in International Transactions | SIT811 | 30 |
| Comparative Regional Integration & Development | IHR813 | 30 |
| Corporate Finance and Corporate Governance 811 | CFG811 | 30 |
| International Trade | ITB811 | 30 |
| | TOTAL | 180 |

H.29.4 MODE II: Two Modules and a Mini-Thesis (7801)

H.29.4.1 Comparative Labour Law

| Module Name | Alpha Code | Cred |
|---|--------------|------------|
| Compulsory | | |
| Mini – Thesis (1st Enrolment) | LAB803 | 120 |
| Mini – Thesis (2nd Enrolment) | LAB804 | |
| Electives (select 2 modules) | | |
| Dispute Resolution 811 | DPR811 | 30 |
| Law of Unfair Dismissal 812 | LAB812 | 30 |
| Labour Law in the New Global Market 811 | LAB811 | 30 |
| The Extension of Social Protection 811 | ESP811 | 30 |
| | TOTAL | 180 |

H.29.4.2 Comparative Constitutional Law

| Module Name | Alpha Code | Cred |
|---|--------------|------------|
| Compulsory | | |
| Mini – Thesis (1st Enrolment) | CLL803 | 120 |
| Mini – Thesis (2nd Enrolment) | CLL804 | |
| Comparative Constitutional Law | CCL811 | 30 |
| Electives (Select 1 module) | | |
| Constitutional Design In Divided Societies | CDS811 | 30 |
| Constitutional Law, Politics and Theory 811 | CIN811 | 30 |
| Constitutional Rights Interpretation | CIN800 | 30 |
| | TOTAL | 180 |

H.29.4.3 Mercantile Law

| Module Name | Alpha Code | Cred |
|--|-------------------|-------------|
| Compulsory | | |
| Mini – Thesis (1st Enrolment) | MER803 | 120 |
| Mini – Thesis (2nd Enrolment) | MER804 | |
| Electives (select 2 modules) | | |
| Information and Communication Technology Law 812 | CTL812 | 30 |
| Dispute Settlement in International Transactions 811 | SIT811 | 30 |
| Comparative Regional Integration & Development | IHR813 | 30 |
| Corporate Finance and Corporate Governance 811 | CFG811 | 30 |
| International Trade | ITB811 | 30 |
| TOTAL | | 180 |

H.29.4.4 Disability Law (Not Offered)

| Module Name | Alpha Code | Cred |
|--|-------------------|-------------|
| Compulsory | | |
| Mini – Thesis (1st Enrolment) | DSL803 | 120 |
| Mini – Thesis (2nd Enrolment) | DSL804 | |
| Introduction to Disability Law and Policy 811 | DLP811 | 30 |
| UN Disability Convention and Optional Protocol 812 | DPC812 | 30 |
| TOTAL | | 180 |

H.29.4.5 Environment Law

| Module Name | Alpha Code | Cred |
|-------------------------------------|-------------------|-------------|
| Compulsory | | |
| Mini – Thesis (1st Enrolment) | IEL803 | 120 |
| Mini – Thesis (2nd Enrolment) | IEL804 | |
| International Environmental Law 811 | IEL811 | 30 |
| Advanced Environmental Law 812 | IEL812 | 30 |
| TOTAL | | 180 |

H.29.4.6 Human Rights Protection

| Module Name | Alpha Code | Cred |
|--|-------------------|-------------|
| Compulsory | | |
| Mini – Thesis (1st Enrolment) | IHR803 | 120 |
| Mini – Thesis (2nd Enrolment) | IHR804 | |
| International Protection of Human Rights Law 814 | IHR814 | 30 |
| International Humanitarian Law 815 | IHR815 | 30 |
| TOTAL | | 180 |

H.29.4.7 Criminal Justice

| Module Name | Alpha Code | Cred |
|-------------------------------|-------------------|-------------|
| Compulsory | | |
| Mini – Thesis (1st Enrolment) | CLL803 | 120 |
| Mini – Thesis (2nd Enrolment) | CLL804 | |
| Anti-Corruption Law 812 | ACL811 | 30 |
| Anti-Money Laundering Law 811 | AML811 | 30 |
| TOTAL | | 180 |

H.29.5 MODE III: FULL THESIS (7821)

| Module Name | Alpha Code | Cred |
|--------------------------------------|-------------------|-------------|
| Comparative Labour Law | LAB801/802 | 180 |
| Comparative Constitutional Law | CLL801/802 | 180 |
| Disability Law (Not Offered) | DSL801/802 | 180 |
| Environment Law | IEL801/802 | 180 |
| Human Rights Protection | IHR801/802 | 180 |
| Law, State and Multilevel Government | MLG801/802 | 180 |
| Transnational Criminal Justice | TCJ801/802 | 180 |
| Mercantile Law | MER801/802 | 180 |
| | TOTAL | 180 |

H.30 ASSESSMENT

H.30.1 Assessment is governed by Rule A.5 as stipulated in the University Calendar: General Information Part 1.

H.30.2 Unless the Faculty Board otherwise decides, a candidate, in respect of modules enrolled for at this University, must:

H.30.2.1 Submit at least one research essay of approximately five thousand words for every module or equivalent form of assessment of the candidate's research ability (which shall be submitted for assessment at least two calendar weeks before the dates scheduled for the examination referred to in Rule H.30.2.2) and

H.30.2.2 Sit for an examination or final assessment in each module, the format of which shall be determined by the relevant academic department.

H.30.3 In respect of modules enrolled for at another University or Practical Legal School, a candidate must comply with the assessment requirements of that University or Practical Legal School.

H.31 PROGRESS RULES

Registration for the following year of study will be recommended by the supervisor if in his/her opinion adequate progress has been made during the current year (See Rule A.3.3).

H.32 RENEWAL OF REGISTRATION

The renewal of registration will be governed by Rule A.4, as stipulated in the University Calendar: General Information Part 1.

H.33 SPECIAL REQUIREMENTS FOR THE PROGRAMME

H.33.1 MODE I

H.33.1.1 At least two modules listed in Rule H.29.3 must be chosen from this University.

H.33.1.2 The two further modules may be chosen from the modules offered by any of the Universities listed below, provided that the choice is approved by the relevant academic department.

List of Universities:

- University of the Western Cape;
- University of Stellenbosch;
- University of Cape Town;
- University of Humboldt zu Berlin;
- University of Là Réunion;
- University of Utrecht;
- University of Leiden;
- Howard University;
- University of Missouri;
- Paul Cezanne University (previously University of Aix-Marseilles III); or
- any other Faculty or
- School of Law with which the University of the Western Cape has an exchange or co-operation agreement.

H.33.1.3 A candidate may choose as one of the two modules referred to in Rule H.33.1.2 above the full-time Practical Legal Training course offered by the Law Society of South Africa at any of the venues where it is offered.

H.33.1.4 Research Paper

H.33.1.4.1 A candidate must present a research paper of approximately 18 000 words which demonstrates the candidate's ability to conduct independent research and which is in a format suitable for publication.

H.33.1.4.2 The topic of the research paper must be chosen by the candidate after consultation with and with the approval of the supervisor concerned.

H.33.1.4.3 Unless extension of time has been granted by the Faculty Board, the research paper must be submitted for assessment within 3 calendar months after the candidate concerned has completed the last assessment in the four modules for which he/she has enrolled.

H.33.1.4.4 No candidate may present a research paper for assessment unless he/she has successfully completed at least half of the modules required for the completion of the degree.

H.33.1.4.5 A candidate may not be re-admitted to the programme if he/she has not presented his/her research paper for assessment within two years after completion of the coursework, unless an extension has been granted by Senate.

H.33.1.4.6 A candidate must, for the purposes of assessment, submit two provisional copies of his/her research paper. The research paper must, as a rule, be typed in doublespacing and shall be satisfactorily bound. After approval of the research paper and before the degree is conferred at least one further unbound copy and one CD of the research paper, shall be furnished. A summary of the research paper, not exceeding five hundred words, is also required.

H.33.1.5 Candidates who have obtained a Postgraduate Diploma in Law may register for the following:

H.33.1.5.1 Two modules other than the modules taken for the diploma, and a research paper.

H.33.1.5.2 The two modules may be chosen from the modules offered by any of the Universities listed in H.33.1.2, provided that the choice is approved by the relevant academic department.

H.33.1.5.3 A candidate may choose as one of the two modules referred to in Rule H.33.1.5.2 above the full-time Practical Legal Training Course offered by the Law Society of South Africa at any of the venues where it is offered.

H.34.2 MODE II

H.34.2.1 Modules must be chosen from the modules offered by the University of the Western Cape (See the Curriculum at H.29.4), provided further that the choice is approved by the relevant academic department.

H.34.2.2 Mini-thesis

H.34.2.2.1 A candidate must present a mini-thesis consisting of approximately 30 000 words which must be a satisfactory contribution to the knowledge of the subject.

H.34.2.2.2 The topic of the mini-thesis must be chosen by the candidate after consultation with and with the approval of the supervisor concerned.

H.34.2.2.3 The mini-thesis must be presented within twelve months after the end of the academic year in which the candidate completes his/her coursework unless the Faculty Board, on good cause shown, approves a longer period of time.

H.34.2.2.4 A candidate may not be re-admitted to the programme without permission of Senate if, three years after the completion of the coursework, he/she has not submitted his/her mini-thesis.

H.34.2.2.5 For the purposes of assessment, a candidate must submit two provisional copies of his/her mini-thesis. The mini-thesis must, as a rule, be typed in double spacing and shall be satisfactorily bound. After approval of the mini-thesis and before the degree is conferred, at least one further unbound copy and one CD of the mini-thesis shall be furnished. A summary of the mini-thesis, not exceeding five hundred words, is also required.

H.34.3 MODE III

H.34.3.1 A candidate registered for the LLM (thesis) programme undertakes supervised programmes of research of not less than one year's duration and must submit a thesis which usually will not exceed 50 000 words in length for examination.

H.34.3.2 The title of the thesis together with the candidate's application for admission to the study for the degree, shall be submitted by him/her to the Senate for its approval.

H.34.3.3 The title of the thesis shall be approved for a period of three years, after which period the candidate may apply for an extension.

H.34.3.4 A candidate shall research and write his/her thesis under the guidance of a supervisor approved by Senate. The Senate may appoint a supervisor or co-supervisor from outside the University.

H.34.3.5 The thesis shall be a satisfactory contribution to knowledge on a subject of legal interest.

- H.34.3.6** The candidate may be required to submit, together with his/her thesis, a copy of every mini-thesis or thesis previously submitted by him/her for another degree, whether it was accepted or not.
- H.34.3.7** Except with permission from Senate, no thesis shall be submitted unless it is accompanied by a written declaration from the supervisor and co-supervisor (if appointed) in which permission is granted for the assessment of the thesis. Such declaration shall not necessarily imply that the thesis is considered to be acceptable.
- H.34.3.8** For the purposes of assessment, a candidate must submit two provisional copies of his/her thesis. The thesis must, as a rule, be typed in double spacing and shall be satisfactorily bound. After approval of the thesis and before the degree is conferred, at least one further unbound copy and one CD of the thesis shall be furnished. A summary of the thesis, not exceeding five hundred words, is also required.
- H.34.3.9** The thesis shall be submitted not later than the dates stipulated in the University Calendar.
- H.34.3.10** No thesis which has previously been submitted for a degree at another university shall be accepted, but material taken from publications of the candidate may be incorporated therein.