

Tutorial Letter 101/3/2021

Introduction to Law ILW1501

Semesters 1 and 2

Department of Jurisprudence

This tutorial letter contains **important information** about your **module**, the **assignments** and the **examination** for this module.

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Dear Student,

1 INTRODUCTION TO THE MODULE

We wish to welcome you to the module *Introduction to Law* (ILW1501) offered by the Department of Jurisprudence in the College of Law. We hope that you will find the module both interesting and rewarding.

There are four very important aspects regarding the module *Introduction to Law* (ILW1501) that you need to take note of from the very beginning:

- **Tuition and delivery of study material in this module are blended**

We follow a blended approach in the tuition and delivery of the study material for ILW1501. **This means that our teaching is conducted partly online on myUnisa and partly in hard-copy study material that you will receive. In this regard, it is important to take note that not all study material will be delivered to you in hard copy.** Some tutorial letters may only be available online on myUnisa. It is also important to take note that we are active on myUnisa. Therefore, all our activities on myUnisa form part of the study material for ILW1501.

- **All assessments are in the in form of online multiple-choice questions**

The two assignments (formative assessment) of the module will be in the form of **multiple-choice question (MCQ) assignments that must be submitted online on myUnisa**. The summative assessment (examination) of the module will take the form of a **non-venue based online multiple-choice question assessment**.

- **Start the module by studying LESSON 1: “INTRODUCTION - HOW TO APPROACH THE MODULE ILW1501” on the module site on myUnisa**

You will be well on your way to success if you first visit the “Lessons” tool or link on the **module site of ILW1501 on myUnisa and carefully study LESSON 1: “INTRODUCTION - HOW TO APPROACH THE MODULE ILW1501”**. This lesson provides step-by-step guidelines on how to tackle this module.

- **Familiarise yourself with myUnisa and the ILW1501 module site**

Browse the Unisa websites (it's for free!) for **crucially important information** and familiarise yourself with the homepage or landing page of myUnisa and the module site for ILW1501.

The **Department of Dispatch** should supply you with the following hard-copy study material for this module:

- Only Study Guide for ILW1501
- Tutorial Letter 101

NOTE: Some of this study material may not be available when you register. Study material that is not available when you register will be dispatched to you as soon as possible. **All the study material for this module will also be available electronically on the module site of ILW1501 on myUnisa under “Official Study Material” and “Additional Resources”.**

IMPORTANT: This tutorial letter is Tutorial Letter 101, the first tutorial letter for the module ILW1501. **Study this tutorial letter as soon as you have worked through Lesson 1 on the module site of ILW1501 on myUnisa.**

Tutorial Letter 101: Tutorial Letter 101 contains important information about this module. We urge you to read it carefully and to keep it at hand when working through the study material, completing the assignments, preparing for the examination and addressing questions to your lecturers.

In **Tutorial Letter 101** you will find the **assignments for both semesters** and instructions on the preparation and submission of the assignments. We have further included certain **general and administrative information** about this module. Please **study** these sections of the tutorial letter carefully.

Tutorial Letter 301 (for all LLB students): Read **Tutorial Letter 301** as it provides you with important **general information** on studying at UNISA and, specifically, within the College of Law. It contains a complete exposition of the College of Law’s prescribed referencing style, which you do not need to worry about for purposes of the module ILW1501. Tutorial Letter 301 is prepared and distributed by the office of the Director of the School of Law; all queries about this letter should be directed to that office (lawdeanery@unisa.ac.za).

Additional tutorial letters that you may expect later in the semester will, for example, include information on the fully online multiple-choice question examination and feedback on the multiple-choice question assignments. We would like to point out that **you must read all the tutorial letters** you receive during the semester *immediately* and *carefully*, as they always contain important and, sometimes, urgent information. Also take note that the tutorial letters you receive **form part of your study material** and should be taken into account when you prepare for the examination.

myUnisa and the Internet: Remember that myUnisa, Unisa’s online campus, provides you with additional opportunities to participate in online activities and discussions relevant to this module and to “chat” online to fellow students about your studies and the challenges you encounter. It also makes it easy for students to find information on their assignments and examinations. **The module site of ILW1501 on myUnisa forms a very important part of your learning experience in this module.** However, you must first join myUnisa before you can login to Unisa’s online campus. For more information on making use of myUnisa, please read paragraph 5.3 below.

2 PURPOSE AND OUTCOMES

As part of this tutorial letter, we wish to inform you that Unisa has implemented a transformation charter based on various pillars and eight dimensions. In response to this charter, we have also placed curriculum transformation high on the agenda. For your information, curriculum transformation includes the following pillars: student-centred scholarship, the pedagogical renewal of teaching and assessment practices, the scholarship of teaching and learning, and the infusion of African epistemologies and philosophies. These pillars and their principles will be integrated at both the programme and module levels, as a phased-in approach. You will notice the implementation thereof in your modules, and we encourage you to fully embrace these changes during your studies at Unisa.

2.1 Purpose

The purpose of this module is for students to gain basic knowledge, insight and skills for the analysis and solution of elementary problems relating to some of the underlying principles of South African law in general and to provide students with a basic knowledge of the nature, role and implications of transformative constitutionalism within South African law. Students accredited with this module can distinguish basic legal concepts and correctly identify and apply suitable legal rules and principles to basic legal problems.

2.2 Outcomes

In the module ILW1501 students should be able to:

- Analyse basic legal concepts and underlying principles of the South African Law in general.
- Formulate legal arguments and apply knowledge to practical South African legal problems.

3 LECTURERS AND CONTACT DETAILS

3.1 Lecturers for ILW1501

All **written enquiries** that are not of a purely administrative nature but are about the **contents** of this module should be directed to:

The Module Leader (ILW1501)
Department of Jurisprudence
PO Box 392
Unisa
0003

It is, however, much quicker, easier and more reliable to reach your lecturers via *email*.

The following lecturers are responsible for the module ILW1501:

Mrs A Jacobs

Tel: (012) 433 9514
 Student cell: 083 462 1349
 Email: jacoba@unisa.ac.za
 Office: UNISA Brooklyn Campus
 337 Veale Street, Brooklyn 0181
 Department of Jurisprudence
 Room 2-12

Prof S Mahomed

Tel: (012) 433 9507
 Email: mahoms1@unisa.ac.za
 Office: UNISA Brooklyn Campus
 337 Veale Street, Brooklyn 0181
 Department of Jurisprudence
 Room 2-27

Please do not hesitate to contact us should you experience any problems in connection with the **contents of the study material for ILW1501**. You can **phone** us, **make an appointment to come and see us personally if possible**, write a **letter** or send an **email**. You can also **communicate with us via the Forum, “General module-related queries to lecturers”**, under the **“Discussions”** tool on **myUnisa**.

Your lecturers cannot always assist you with administrative matters. This includes matters pertaining to registration, submission of assignments, assignment results, admission to the examination, examination dates, examination venues, aegrotats, supplementary examinations, special examinations and examination results. Such matters should be addressed to the relevant administrative department.

Please see the STUDY@UNISA brochure in this regard and make use of the following contact details for general enquiries:

- Unisa toll-free general enquiries line: **0800 00 1870**
- General enquiries regarding the College of Law: lawdeanery@unisa.ac.za
- Application and registration enquiries: Study-info@unisa.ac.za; jus@unisa.ac.za
- Assignment enquiries: assign@unisa.ac.za
- Examination enquiries: exam@unisa.ac.za
- Sick or aegrotat exam enquiries: aegrotats@unisa.ac.za
- Study material enquiries: despatch@unisa.ac.za
- Student account enquiries: finan@unisa.ac.za
- Assistance with myUnisa: myUnisaHelp@unisa.ac.za
- Assistance with myLife email accounts: myLifeHelp@unisa.ac.za
- Unisa First-year experience (FYE) queries: FYE@unisa.ac.za

3.2 Department

The contact details for the Department of Jurisprudence are:

Tel: (012) 433 9480
Email: mkhomme1@unisa.ac.za

OR:

Tel: (012) 433 9479
Email: madihmp@unisa.ac.za

3.3 University

General Unisa contact details may be found in the **brochure STUDY@UNISA** which is electronically available on the homepage of the **myUnisa website**. You can also download this brochure from the myUnisa homepage at <https://www.unisa.ac.za/sites/myunisa/default/>. **It is a very important brochure which will provide you with an orientation for studying through Unisa and will help you to plan your studies.**

Remember to always provide your student number when you contact the University.

4 MODULE RELATED RESOURCES

4.1 Prescribed books

There is no prescribed textbook for ILW1501. This means that you do not have to buy any additional academic textbooks for ILW1501. **You only need to study the Only Study Guide for ILW1501 and the tutorial letters.** For more detail on the study material for ILW1501, see paragraph 4.5 below.

4.2 Recommended books

There are no recommended books for this module.

4.3 Electronic Reserves (e-Reserves)

There is no prescribed additional reading or e-reserves for this module.

4.4 Library Services

NOTE: For purposes of this module, you will not be required to make use of the library services to access additional material. You should focus strictly on your study guide, tutorial letters and the activities on the module site of ILW1501 on myUnisa when you complete the assignments and study for the examination.

However, we would still like to inform you of the range of information services and resources that the Unisa Library offers, which include:

- For detailed Library information, go to: <https://unisa.ac.za/library>
- For research support and services (e.g. personal librarians and literature search services), go to:
<https://www.unisa.ac.za/sites/corporate/default/Library/Library-services/Research-support>
- The Library has created numerous Library guides: <https://libguides.unisa.ac.za>

Recommended guides:

- Request and download recommended material:
<https://libguides.unisa.ac.za/request>
- Postgraduate information services:
<https://libguides.unisa.ac.za/request/postgrad>
- Finding and using Library resources and tools:
<https://libguides.unisa.ac.za/research-support>
- Frequently asked questions about the Library:
<https://libguides.unisa.ac.za/ask>
- Services to students living with disabilities:
<https://libguides.unisa.ac.za/disability>
- Assistance with technical problems accessing the Unisa Library or resources:
<https://libguides.unisa.ac.za/techsupport>

You may also send an email to Lib-help@unisa.ac.za (please add your student number in the subject line).

4.5 Study material

The study material for ILW1501 includes the following:

- Only Study Guide for ILW1501
- Tutorial Letter 101
- Other tutorial letters (which will become available during the semester)

PLEASE NOTE: Your lecturers cannot assist you with obtaining hard-copy study material. You should contact the Department of Dispatch.

4.5.1 Study Guide

There is **one study guide** for this module, namely the **Only Study Guide for ILW1501**. At the beginning of the study guide you will find detailed instructions on how to use it. This study guide consists of 12 study units. **You have to study all 12 study units for the examination.** In the study guide you will find a number of **activities** with each study unit. You will also find **feedback** or answers to all these activities. The activities form an extremely important part of the module. In the activities you must prove your ability to deal with the subject-matter. Thus, it is very important to do these activities as you work through each study unit and evaluate your answers by using the feedback.

NOTE: Please do not submit these activities to us for marking. If you have any difficulties with any of the activities, please contact one of the lecturers.

4.5.1.1 Sections in the Study Guide that you do not have to study in detail

PLEASE NOTE: You are **not expected to study** and **memorise** the following in your Study Guide in detail:

- (1) the **contents** of The Choice on Termination of Pregnancy Act 92 of 1996 (Learning Unit 6)
- (2) the **contents** of any court cases (e.g. *S v Makwanyane* and *Naude and Another v Fraser* in Learning Unit 6)
- (3) **full references** of acts and cases referred to in the Only Study Guide for ILW1501

HOWEVER, you are expected to study the activities and feedback that are given on The Choice on Termination of Pregnancy Act 92 of 1996 and the court cases.

4.5.2 Tutorial Letter 101

Tutorial Letter 101 for ILW1501 is an extremely important tutorial letter. It contains very important information regarding the University and the module ILW1501, as well as all the assignments and examination for this module. You should therefore **study** Tutorial Letter 101 very, very carefully.

4.5.3 Other tutorial letters

Apart from Tutorial Letter 101, you will also receive other tutorial letters during the semester. These tutorial letters will not necessarily be available at the time of registration. Tutorial letters may be dispatched to students as soon as they are available or needed.

PLEASE NOTE: By accessing the Internet, you will find the study guide and tutorial letters for the module ILW1501 on the University's online campus, myUnisa, at <http://my.unisa.ac.za>. The study guide and tutorial letters will be available under “Official Study Material” and “Additional Resources” on the module site of ILW1501 on myUnisa.

5 STUDENT SUPPORT SERVICES FOR THE MODULE

The STUDY@UNISA brochure is available on myUnisa: www.unisa.ac.za/brochures/studies. It is also available on myUnisa on the module site for ILW1501 under the link “Additional Resources”. This brochure has all the tips and information that you need to succeed at distance learning, specifically, at Unisa.

5.1 Discussion classes

There will be **no** official discussion classes for the module ILW1501 during 2021.

5.2 Tutorial classes

The availability of face-to-face tutors will depend on the Covid-19 provisions and the possibility of access to campuses. These guidelines will be communicated by the University. Face-to-face tutors may be available for this module in certain areas of the country. Please consult the publication STUDY@UNISA for more information on tutorial classes in your region. However, please note that the lecturers cannot assist you with information in this regard; please rather **contact your nearest regional campus** to enquire about the availability of a tutor for this module.

5.3 myUnisa

myUnisa is **Unisa’s online campus** that will help you communicate with your lecturers, other students and the administrative departments within Unisa. **Browse the Unisa websites (it’s for free!) for crucially important information and familiarise yourself with the homepage or landing page of myUnisa and the module site for ILW1501.** However, you must first register before you can login to Unisa’s online campus.

5.3.1 How to join myUnisa

To register for myUnisa or claim your myUnisa account, please follow the steps below:

1. Visit the myUnisa website at <https://my.unisa.ac.za/portal>.
2. Click on the “**Claim Unisa Login**” link at the top of the screen under the orange user ID box.
3. A new screen will load, prompting you to **enter your student number**.
4. Please enter your student number and click “**Continue**”.
5. Enter your surname, your full name, your date of birth and, finally, your South African ID number (for South African citizens) OR your passport number (for foreign students). Then

click **“Continue”**. Remember to enter either an ID number or a passport number, **NOT both**.

6. Please read through the guidelines and **click all the check boxes** to acknowledge that you have read all the information provided. Once you are done, click the **“Acknowledge”** button to redirect you to the final page in the process.
7. The final page will display your myLife email address, and your **myLife AND myUnisa password**. This password will also be sent to the cellphone number displayed on the page for safekeeping.
8. Please note that it can take up to 24 hours for your myLife email account to be created.
9. Remember, the password provided is your myUnisa **AND** myLife email password.
10. Also, **please use the “My Admin” page on myUnisa** to update your personal and contact details. It is crucial that the University has your correct cell phone number.

5.3.2 The module site of ILW1501 on myUnisa

The module site of ILW1501 on myUnisa forms a very important part of your learning experience in this module. You are therefore encouraged to use the myUnisa website for our module, ILW1501, as it is another (and faster) way that your lecturers can communicate with you. Some of the tools or links that should be of use to you include:

- **Discussions**: One of the **Forums** under **Discussions** may be used to meet and contact your fellow students and even to form virtual study groups or WhatsApp groups. The other **Forum** under **Discussions** also give you the opportunity to contact your lecturers directly, and to ask questions regarding the module. All your questions on this forum will be answered by your lecturers on a regular basis. Furthermore, all students registered for a specific semester will be able to view the questions and answers. It is a good idea to check the **Discussions** link regularly, as it will provide answers to some frequently-asked questions.
- **Announcements**: Your lecturers will regularly make important announcements regarding new developments or administrative arrangements. We urge you to keep up to date with any announcements by regularly accessing the **Announcements** link.
- **Lessons**: Your lecturers will facilitate **weekly lessons on each study unit** in the Only Study Guide for ILW1501 in accordance with a set schedule. **We will provide you with more information on the lessons by means of an Announcement.**

5.4 E-tutors

Please note that e-tutors are available for the module ILW1501. The e-tutors will open and monitor **Forums** under the online **Discussions** to assist you with content-related enquiries and with general enquiries regarding the assignments and examination. They will also facilitate **Lessons** on the content of the study units within their respective e-tutor groups.

The e-tutors are only available online via the myUnisa website for this module. You are not allowed to contact your e-tutor telephonically, per email or via standard mail. The e-tutors are appointed when the registration period for a specific semester has closed and you will be notified by the University once you have been allocated an e-tutor. Any updates or other important information regarding e-tutors will be conveyed to you on the **Announcements** link of this module's myUnisa site.

Keep in mind that your e-tutors communicate regularly with the lecturers. This means that they are able to convey to you all the important information on the content and administration of this module. Please treat your e-tutor with respect; failure to do so could lead to disciplinary action. Remember, your e-tutor is there to assist you and to guide you through the module; however, you are still ultimately responsible for passing this module. **This means that you must study hard and start preparing in advance for the examination.**

5.5 Student@myLife email account

It is important to take note that your official student myLife email account is the University's **primary mode of communication** with students. Important information will always be communicated to students via email. In order to access your Unisa student-email account, please go to the myUnisa homepage and follow the link to "**myLife email**". Please make sure that your inbox is never full to capacity. If your inbox is full, your messages cannot be delivered and you may miss out on important information. **If you encounter any difficulties with your email account, please write to myLifeHelp@unisa.ac.za.** It is your responsibility to make sure that you can access your email account. If you miss important information shared here, your lecturers are not to blame. Please note that it is possible to forward your myLife emails to your personal email account. This is a good way to ensure that you do receive all emails from Unisa.

5.6 Students with special needs

Please see the following website in this regard:

The Advocacy and Resource Centre for Students with Disabilities
<https://www.unisa.ac.za/sites/myunisa/default/Student-Affairs-&-SRC/Support-to-students-with-disabilities>

5.7 The First-Year Experience (FYE) Programme@Unisa

Unisa's first-year experience (FYE) initiative is designed to provide extended support to students entering Unisa and the Open Distance e-Learning (ODEL) environment for the first time by increasing communication between the institution and its students, and by also providing important information during crucial points in the student's journey. FYE is a collective effort to help first-year students to adapt to the ODeL environment. Through the FYE, students will be provided with on-time and helpful information about the services that the institution offers and how they can access the services.

FYE initiatives:

- FYE emails – are a tool to help first-year students to stay focused, and motivated.
- FYE broadcasts – various topics related to first-year studies are broadcasted with the input of academic and support staff from different colleges and departments.
- FYE mailbox – to help assist students with queries related to their first year of study.
- FYE website – to help bridge the gap between students and the institution.
- FYE MOOC – to help prepare, orientate and familiarise students with the Unisa environment.

More information:

- Visit the website: www.unisa.ac.za/FYE
- Participate in the FYE MOOC: mooc.unisa.ac.za
- Contact the FYE team: fye@unisa.ac.za

6 MODULE-SPECIFIC STUDY PLAN

The module ILW1501 is easy to master if you are willing to commit to your studies and to put in some effort. The Study Guide is very interesting to read. It almost reads like a storybook. This results in students underestimating the module and trying to pass it by simply reading the Study Guide a few times before the examination. Be careful not to fall in the same trap! Plan ahead and make sure to continuously work through the Study Guide throughout the semester. You will not be able to “cram” all the information a few days before the examination.

We urge you to make use of the **one-page timetable** when working through the study material. This timetable is available online under “**Additional Resources**” on the module site of ILW1501 on myUnisa. **Please follow this timetable with us to work through and STUDY all the learning units of the Study Guide for ILW1501 and to discuss the activities on the learning units under the “Lessons” tool on our module site on a weekly basis.**

The purpose of the weekly schedule is to help you to plan your studies for the semester. It has been structured to allow you sufficient time to work through the study material, and also includes time set aside for revision. The e-tutors also make use of the weekly schedule in their respective groups. This ensures that all the students are working more or less at the same pace. Therefore, if you work with your e-tutor, you will cover all the material (and do revision) before the examination.

Note: For information and suggestions regarding general time management and planning skills, please consult the brochure STUDY@UNISA.

7 MODULE PRACTICAL WORK AND WORK-INTEGRATED LEARNING

There are no practicals for this module.

8 ASSESSMENT

8.1 Assessment criteria

Assessment of the module ILW1501 consists of the submission of **two multiple-choice question (MCQ) assignments online on myUnisa** (formative assessment) and the completion of an **online multiple-choice question examination** (summative assessment).

8.2 Assessment plan

8.2.1 *Two MCQ assignments for online submission, year mark, admission to online examination*

There are two multiple-choice question (MCQ) assignments per semester for this module. Students who submit the **first assignment** of the semester *before or on the date of submission* will be **admitted to the examination**. This assignment mark will be taken into account for the year mark. It will count 10% of the year mark. **Thus, the first assignment is compulsory for admission to the examination.** **If you fail to submit your first assignment, you will not be permitted to sit for the examination.**

The mark obtained for the **second assignment** will also be **taken into account for your year mark**.

Thus, students who submit the first and the second assignment of the semester, will obtain admission to the examination and both their assignments will be taken into account for their year marks.

The **year mark** constitutes **20%** (first assignment 10% and the second assignment 10%) of the final mark.

How will this work in practice?

- Your **year mark** counts **20%** (Assignment 01 counts 10% and Assignment 02 counts 10%) of your final mark.
- Your **examination mark** counts **80%** of your final mark.
- Your **final mark** for the module will thus be calculated as follows: **20% (year mark) + 80% (examination mark) = 100% (final mark).**

8.2.2 *Subminimum of 40% required in examination in order for year mark to be taken into account*

Remember, you need to obtain **at least 40% in the examination** before your year mark will be taken into account in calculating your final mark for ILW1501.

9 ASSIGNMENTS

9.1 Assignments and learning

Assignments are regarded as part of the study material for this module. When you study the Only Study Guide for ILW1501; do the assignments; discuss the study material with fellow students or e-tutors; or participate in the **Discussions** or **Lessons** on myUnisa, you are actively engaged in learning.

9.2 Assignments and their purpose

In your assignments you will be assessed to see whether you

- can analyse basic legal concepts and underlying principles of the South African Law in general.
- can formulate legal arguments and apply knowledge to practical South African legal problems.

The questions asked in the assignments are examples of the kinds of questions that will also be put to you in the examination. It will therefore assist in your preparation for the examination.

9.3 Two MCQ assignments per semester

Assignment 01 is a multiple-choice question assignment. This assignment is **compulsory for admission to the examination** and **counts 10%** of your **year mark**.

Assignment 02 is also a multiple-choice question assignment. This assignment is **not compulsory** but **counts 10%** of your **year mark**.

9.4 Assignment numbers

Assignments are numbered consecutively in Arabic numerals, starting from **01**. This tutorial letter contains the following assignments:

- Assignment **01** and Assignment **02** for **first-semester students** (**ADDENDUM A** of this tutorial letter)
- Assignment **01** and Assignment **02** for **second-semester students** (**ADDENDUM B** of this tutorial letter)

9.5 Unique numbers of assignments

In addition to the general assignment number, **each assignment which must be submitted has a unique number**. Please ensure that this unique number is clearly indicated on the assignments that you submit to the University. The unique numbers for the assignments are as follows:

First Semester:

- Assignment 01: **697219**
- Assignment 02: **805522**

Second Semester:

- Assignment 01: **889422**
- Assignment 02: **858526**

9.6 Due dates for assignments

The closing dates for the submission of Assignments 01 and 02 are:

- **First semester**
 - **Assignment 01: 30 March 2021**
 - **Assignment 02: 30 April 2021**
- **Second semester**
 - **Assignment 01: 30 August 2021**
 - **Assignment 02: 30 September 2021**

Please note that **NO ASSIGNMENTS WILL BE ACCEPTED after the relevant due date**. Please keep to the due dates. This means that you should take into account the submission dates for Assignments 01 and 02 when planning your study schedule. It also means that you must plan ahead.

IMPORTANT:

Your lecturers **do not have the authority** to grant extension of time for the submission of assignments.

9.7 Submission of multiple-choice question (MCQ) assignments

You **MUST** submit the multiple-choice question assignments either electronically, in other words online, on myUnisa or by using the Unisa MCQ mobile app.

MCQ assignments may not be submitted by post, email or fax.

9.7.1 Submission of assignments electronically (online) on myUnisa

Before you can use the online assignment submission functions on myUnisa, you have to join as a myUnisa user and allocate yourself a password. **Only students who are registered for the current academic year may use myUnisa.** See the detailed explanation of how to join as a user on the myUnisa site in paragraph 5.3.1. After you have joined myUnisa, you will be able to submit your MCQ assignment answers online, by logging into myUnisa. **Submitting a multiple-choice assignment on myUnisa is simple, fast and reliable. Just follow the step-by-step instructions on the screen very carefully. For your convenience, we also provide the instructions below:**

1. Go to **myUnisa**.
2. **Login** with your **student number** and **password**.
3. Select the **“My Admin”** option.
4. Select **“Assessments”** and then **“Assessment Info”**.
5. Select the **correct module**.
6. Click on the **assignment number** you wish to submit.
7. **Follow** the **instructions** provided **onscreen** very carefully.
8. **Multiple-choice question assignments are submitted by selecting the correct option onscreen on an electronic mark-reading sheet.**
9. No additional documentation (cover page, mark-reading sheet, or academic-honesty declaration) is required.
10. **Make sure that you submit the correct document (that is, the correct assignment for the correct module). If you submit an incorrect assignment for ILW1501, you will obtain a naught (0) for the assignment.**

9.7.2 Submission of MCQ assignments by using the Unisa MCQ mobile app

9.7.2.1 Requirements

- A **mobile device** with Java MIDP 2.0 support. If you are unsure about your device's capability, just download the app and try it out!
- **Data Services** with your provider and Credit/Airtime
- A **myUnisa account** (If you do not have an account, simply join by visiting <https://my.unisa.ac.za/portal/pda>)

9.7.2.2 Steps to follow

1. **Download and install** the Unisa Mobile application from the link located at the bottom of the following webpage, which also contains a complete demo tutorial on how to download and use the MCQ mobile app:
<https://www.unisa.ac.za/sites/myUnisa/default/Assignments&Examination/Assignments/How-to-submit-multiple%E2%80%93choice-assignment-using-the-Unisa-mobile-application>
2. **Install and start** the application on your phone.
3. Select the **"MCQ Assignment"** option.
4. **Login with your myUnisa* credentials.**

5. Select your **module**.
6. Select the appropriate **unique assignment number**.
7. Select **appropriate answers** to the assignment questions
8. **Send your answers**.
9. Receive immediate **onscreen confirmation**.

Note: You can view a complete set of assignment information by logging onto <https://my.unisa.ac.za/portal/pda> using an HTML web browser from any internet enabled device.

9.7.2.3 Terms and Conditions

1. Unisa takes no responsibility if an assignment submission results from the unauthorized use of one's password.
2. Unisa will not tolerate abuse of any part of this service.
3. **Unisa reserves the right to modify or discontinue this service at any time.**
4. Unisa cannot guarantee the compatibility of this application with your particular phone model. Nevertheless, Unisa will strive to accommodate as many as possible.

9.7.2.4 Costs

- Data usage (rates as per mobile service provider)

9.7.3 *Successful submission of assignments on myUnisa*

There are three ways to check that your assignments have been successfully submitted:

1. When you submit an assignment, you will receive a **clear status message**. If the message reads "Assignment received in good order", your assignment has been successfully received by Unisa.
2. You will receive a receipt with a unique track and trace or reference number on submission from the Assignments Department. This is your proof that Unisa has received your assignment(s). **If you do not receive any proof of receipt of your assignment(s), please contact the Assignment Section. It is YOUR responsibility to make sure that your assignments arrive at Unisa.**
3. Your **list of assignments** for each module on myUnisa will be updated immediately after the successful submission of an assignment.

9.7.4 *Resubmission of assignments*

Once you have successfully submitted your assignment on myUnisa, a "Resubmit" link becomes available. However, just because the myUnisa system gives you the option to resubmit, does **not** mean that you **have** to make use of it. If you are not satisfied with what you have submitted, you are welcome to cancel your submission and resubmit. But you do not have to do this. This option is only there for when you have made a mistake. If you are satisfied with the assignment that you have submitted, please ignore this link.

Please note that a resubmission REPLACES your previous submission. Also note that it is only possible to **submit an assignment a total of three** times. That means that the system will only allow you to **resubmit TWICE** (two times). Once you have submitted three times, it will no longer be possible to replace your assignment. The third attempt submitted will be marked. Do not abuse the resubmit function.

Do not try to resubmit an assignment after the closing date, since this will result in your assignment being cancelled altogether and the system will not accept your resubmission. Your assignment will then not be marked at all.

9.7.5 *Enquiries about the receipt or return of assignments*

VERY IMPORTANT:

Please consult the brochure STUDY@UNISA that is available on the homepage of the myUnisa website for information regarding assignments (e.g. whether or not the University has received your assignment, or the date on which an assignment was returned to you). To go to the myUnisa website, start at the main Unisa website, <http://www.unisa.ac.za>, and then click on the "Login to myUnisa" link under the myUnisa heading on the screen. This should take you to the myUnisa website. You can also go there directly by typing in <http://my.unisa.ac.za>.

9.8 Assessment of assignments

9.8.1 *Plagiarism*

Although students may work together when preparing assignments, each student must submit his or her own individual assignment. **It is unacceptable for students to submit identical assignments on the basis that they worked together. That is copying (a form of plagiarism) and none of these assignments will be marked. Furthermore, you may be penalised or subjected to disciplinary proceedings by the University.**

Please read the Plagiarism Policy of the College of Law as provided in ADDENDUM C of this tutorial letter.

9.8.2 *Marking of assignments*

The electronic mark-reading sheets of the two multiple-choice question assignments submitted online on myUnisa will be marked by the computer after the closing date of each assignment. Generally, the results of multiple-choice question assignments will be available two weeks after the due date of the assignment.

Students who submit their assignments long before the closing date will have to wait for their results until the assignments have been marked by the computer. No results will be available before the closing date of the assignment.

9.9 Feedback on assignments

Detailed feedback on the two multiple-choice question assignments **will be available in a tutorial letter on myUnisa after the marking of the assignments by the computer.**

As soon as you have received the feedback on the assignments in the tutorial letter, please check your answers. **Self-evaluation is a necessary skill that constitutes an important part of your learning.** It is therefore very important that you evaluate your marked answers against the detailed feedback in the tutorial letter. This will enable you to see where you made your mistakes and, even more importantly, assist you to avoid making these same mistakes in the examination. The assignments and the feedback on these assignments thus constitute an important part of your learning and should help you to be better prepared for the examination.

10 OTHER ASSESSMENT MEASURES

There are no other assessment methods for this module.

11 EXAMINATION

11.1 Examination period

ILW1501 is a **semester module** and is therefore offered in semester one and semester two. **This means that you can register for ILW1501 in either the first or the second semester of a specific academic year.** The examination session for the first semester takes place in May/June of the academic year. The second examination session takes place in October/November of the academic year. **If you pass the module after completing the examination of a specific semester, you need not register for the module again in the following semester.**

Thus, if you are registered for the first semester of 2021 and obtain admission to the examination, you will write the examination in May/June 2021. If you pass the module, you need not register for the module again in the second semester of 2021. If you obtain an aegrotat, special or supplementary examination in May/June 2021, you will write the examination in October/November 2021. If you fail the May/June 2021 examination, you will have to register for the module again in the second semester of 2021.

If you are registered for the second semester of 2021 and obtain admission to the examination, you will write the examination in October/November 2021. If you pass the module, you need not register for it again in the first semester of 2022. If you obtain an aegrotat, special or supplementary examination in October/November 2021, you will write the examination in May/June 2022. If you fail the October/November 2021 examination, you will have to register for the module again in the first semester of 2022.

Please note that your lecturers may not arrange an aegrotat or special examination for you. Detailed information on the process and contact details in this regard are provided in the brochure **STUDY@UNISA**.

After registration and before the examination, the Examination Section will provide you with general information on the examination, including information on examination dates and examination times. If you do not receive this information, please contact the Department of Examinations a few weeks before the examination commences. Alternatively, you should be able to access this information online on myUnisa. **Please note that your lecturers cannot assist you with this information.**

11.2 Examination

The **examination** of the module will take the form of a **non-venue based online multiple-choice question examination**. You will receive a tutorial letter on the examination during the semester.

11.3 Previous examination papers

The University (not the lecturers) makes previous examination papers available on myUnisa. Please note that the memoranda of these examination papers are not available. Also note that your lecturers will not make any other examination papers and memoranda available to students.

We advise you not to focus on the old examination papers as the examination for ILW1501 now consists of online multiple-choice questions only.

12 FREQUENTLY ASKED QUESTIONS

Before contacting your lecturers please study the brochure **STUDY@UNISA** which contains an A-Z guide of the most relevant study information and **regularly read the Announcements posted by the lecturers on myUnisa.**

Also visit the **“FAQs” link on the module site on myUnisa** to access questions and answers related to the examination, examination administration, e-tutors, the assignments and your study material. Please read these questions and answers carefully. Many of your queries about the module will be answered by the information posted there.

13 CONCLUSION

We trust that you will enjoy this module. Please remember that you are welcome to contact any of the lecturers should you have any questions relating to the content of this module. We wish you success with your studies.

Kind regards

MRS A JACOBS
PROF S MAHOMED

14 ADDENDUM A: ASSIGNMENTS FOR FIRST SEMESTER

VERY IMPORTANT:

There are **TWO** assignments for the first semester.

Only students registered for the first semester of 2021 must submit these two assignments.

Make sure that you submit the correct assignments for ILW1501.

Assignment 01 is a compulsory assignment.

You must submit Assignment 01 to gain admission to the examination.

If you do not submit Assignment 01 before the due date, you will not be granted admission to the examination.

Remember that Assignment 01 is not only compulsory, but that it also counts 10% of the year mark of 20%.

Assignment 02 is not a compulsory assignment for admission to the examination but counts 10% of the year mark of 20%.

FIRST SEMESTER: ASSIGNMENT 01
CLOSING DATE: 30 MARCH 2021
UNIQUE NUMBER: 697219

- (1) **Assignment 01** focuses on **Learning Units 1 to 6 of the Only Study Guide for ILW1501.**
- (2) **Assignment 01** is a **multiple-choice question assignment** with **15 multiple-choice questions.**
- (3) The **total** of Assignment 01 is **15 marks.** Each question therefore counts **one mark.**
- (4) **Assignment 01 MUST be submitted online on myUnisa. NO postal submissions on a mark-reading sheet will be accepted.** Study paragraph 9.8.1 and 9.8.2 above on how to complete and submit a multiple-choice question assignment online on myUnisa or by using the Unisa MCQ mobile application (app).
- (5) **Assignment 01 is compulsory for admission to the examination. If you fail to submit your first assignment, you will not be permitted to sit for the examination. Remember that Assignment 01 is not only compulsory, but that it also counts 10% of the year mark of 20%.**
- (6) **Do not wait until the closing date to submit your assignment. Submit your assignment at least 72 hours before the closing date.** This will make provision for unforeseen problems, such as your internet connection could be down / not available on the closing date or myUnisa could be down / not available on the closing date.
- (7) **Remember: Keep a copy of your assignment before you submit it!!**

QUESTIONS 1-15

Question 1

Read the scenario and answer the question that follows:

Melissa and Naomi are in a permanent same-sex relationship. They have just moved into their dream home in an elite, but very traditional, neighbourhood. Melissa and Naomi's neighbours ignore them. Some even openly voice their disapproval of their relationship.

Which **normative system** is applicable to this scenario?

- (1) the law
- (2) religion
- (3) individual morality
- (4) community mores

Question 2

Complete the sentence by choosing the **correct** option:

Law can be defined as ...

- (1) unwritten and informal rules of human conduct.
- (2) written and formal legal rules of human conduct.
- (3) rules of human conduct with binding legal force.
- (4) customary rules that bind the whole community.

Question 3

What does “**substantive law**” refer to?

- (1) Legal rules that determine how court cases are decided.
- (2) The part of the law that determines the meaning of legal rules.
- (3) Law that regulates relationships between the state and its citizens.
- (4) The part of the law that regulates relationships between individuals.

Question 4

Formal law must comply with three basic requirements to achieve formal justice. Which one of the following is **NOT** a requirement for formal justice?

- (1) Explicit legal rules must be laid down.
- (2) Legal rules must apply generally.
- (3) Legal rules must be fair and impartial.
- (4) Legal rules must be applied impartially.

Question 5

Read the following scenario and answer the question that follows:

Mr Venter and Mr Khumalo have been neighbours for some time. However, Mr Venter recently installed a gutter system that causes water to flow right into Mr Khumalo’s garden, damaging his plants. This is a nuisance to Mr Khumalo and makes life very unpleasant for him, as he is an avid gardener.

On which **private-law right** of Mr Khumalo does Mr Venter infringe by causing the water from the gutter system to flow into Mr Khumalo's garden?

- (1) personal right
- (2) personality right
- (3) real right
- (4) intellectual property right

Question 6

Read the following scenario and answer the question that follows:

Rendani, an artist, always signs his name at the back of his paintings before sending them to the gallery. In terms of the private law Rendani has a right to his artwork.

What is the **object** of Rendani's private-law right called?

- (1) a thing
- (2) personality property
- (3) performance
- (4) a creation of the human mind

Question 7

What is the **correct term** for African customary law that still develops within indigenous communities and largely consists of unwritten customs handed down from generation to generation?

- (1) official customary law
- (2) living customary law
- (3) uncodified customary law
- (4) unrecorded customary law

Question 8

Legal systems in the world are grouped together into different legal families. Which one of the following countries' legal systems fall within the **civil-law legal family**?

- (1) France
- (2) Scotland
- (3) England
- (4) Sri Lanka

Question 9

Which **legal families** contributed to the development of South African law as a legal system belonging to the category of mixed legal families?

- (1) civil-law; religious; indigenous
- (2) common-law; religious; indigenous
- (3) civil-law; common-law; indigenous
- (4) hybrid; common-law; indigenous

Question 10

Read the following scenario and answer the question that follows:

John and Peter are friends. One day they have an argument over a girl that they both wish to date. John tackles Peter and punches him during their argument. Peter reports the incident at the police station. John is subsequently prosecuted for the crime of assault.

Which **main division** of South African law will be applicable to this scenario?

- (1) private law
- (2) public law
- (3) civil law
- (4) criminal law

Question 11

What does the term "**private law**" refer to?

- (1) A body of legal rules that derives from the decisions of court cases.
- (2) A body of legal rules that regulates relationships between individuals.
- (3) A body of legal rules that regulates relationships between a state and its citizens.
- (4) A body of legal rules that states that individuals have rights to privacy.

Question 12

Which **division of the public law** is concerned with the administration of the state in general by determining the way in which state bodies, state departments, numerous boards, as well as ministers should exercise their powers?

- (1) public international law
- (2) constitutional law
- (3) administrative law
- (4) state law

Question 13

Complete the sentence by choosing the **correct** option:

South Africa does not have a codification of law because South African law ...

- (1) is written down in the 1996 Constitution.
- (2) can be found in different divisions of law.
- (3) can be found in different sources of law.
- (4) is written down in statutes of parliament.

Question 14

Indicate the **correct** option:

South Africa has **two kinds of sources** of law namely:

- (1) the Constitution and legislation
- (2) case law and common law
- (3) authoritative and persuasive
- (4) common law and customary law

Question 15

Read the following scenario and answer the question that follows:

You are a candidate attorney working at a community legal aid center. One afternoon, Mr Khumalo approaches you for legal advice. He shows you a letter from his employer which indicates that he has been dismissed with immediate effect, with no reasons being stated in the letter. You are tasked with finding the relevant sources of law which will assist your principal attorney in preparing her case. During your research, you find various South African sources of law.

Which one of the following sources of law is a **secondary source** of law?

- (1) Labour Relations Act 66 of 1995
- (2) Basic Conditions of Employment Act, 1997
- (3) A judgment by the Labour Court
- (4) A textbook on South African labour law

TOTAL: [15]

DID YOU KEEP A COPY OF YOUR ASSIGNMENT?

FIRST SEMESTER: ASSIGNMENT 02
CLOSING DATE: 30 APRIL 2021
UNIQUE NUMBER: 805522

- (1) **Assignment 02** focuses on **Learning Units 7 to 12** of the **Only Study Guide for ILW1501**.
- (2) **Assignment 02** is a **multiple-choice question assignment** with **15 multiple-choice questions**.
- (3) The **total** of Assignment 02 is **15 marks**. Each question therefore counts **one mark**.
- (4) **Assignment 02 MUST be submitted online on myUnisa. NO postal submissions on mark-reading sheets will be accepted.** Study paragraph 9.7.1 and 9.7.2 above on how to complete and submit a multiple-choice question assignment online on myUnisa or by using the Unisa MCQ mobile application (app).
- (5) **Assignment 02 is not a compulsory assignment for admission to the examination but counts 10% of the year mark of 20%.**
- (6) **Do not wait until the closing date to submit your assignment. Submit your assignment at least 72 hours before the closing date.** This will make provision for unforeseen problems, such as your internet connection could be down / not available on the closing date or myUnisa could be down / not available on the closing date.
- (7) **Remember: Keep a copy of your assignment before you submit it!!**

QUESTIONS 1-15

Question 1

In which **section** of the Constitution will you find the **Bill of Rights limitation clause**?

- (1) section 34
- (2) section 35
- (3) section 36
- (4) section 37

Question 2

Read the following scenario and answer the question that follows:

Colin Peters is arrested for selling drugs to school children in his neighbourhood. During the interrogation process, Colin is tortured by the police in order to force him to make a confession.

Which **branch** of the state's powers is applicable in this scenario?

- (1) judicial branch
- (2) investigative branch
- (3) legislative branch
- (4) executive branch

Question 3

Which one of the following statements regarding the spirit, aim and special features of the 1996 Constitution is **correct**?

- (1) Constitutionalism means that parliament is sovereign and that it makes any law.
- (2) The Constitutional Court is the only court that may hear constitutional matters.
- (3) The Constitution addresses social and economic injustices of the past.
- (4) The concept of ubuntu is explicitly mentioned in the final Constitution, 1996.

Question 4

Read the following statement and answer the question that follows:

The Constitutional Court decided that the definition of marriage in the Marriage Act 25 of 1961 was unconstitutional on the grounds of the right to equality and the right to human dignity. It therefore held that a permanent cohabitation relationship had to be included in the definition of marriage.

In which case was this decided?

- (1) *S v Makwanyane and Another* (CCT 3/94) 1995 (3) SA 391 (CC)
- (2) *Fraser v Children's Court, Pretoria North and Others* 1997 (2) SA 261 (CC)
- (3) *Minister of Home Affairs and Another v Fourie and Another* (CCT 60/04) [2005] ZACC 19
- (4) *Richter v Minister of Home Affairs and Others* (CCT03/09, CCT 09/09) [2009] ZACC 3

Question 5

Read the following scenario and answer the question that follows:

Sheila's mother slips and falls in her kitchen, sustaining severe injuries to her back and right arm. Sheila rushes her mother to the closest governmental hospital. However, Sheila and her mother are turned away at the entrance after a member of staff informs them that the hospital does not treat the elderly.

Which **category (kind)** of **fundamental rights** have been infringed in this scenario?

- (1) second-generation rights
- (2) personal rights
- (3) third-generation rights
- (4) horizontal rights

Question 6

Which one of the following statements about the **limitation of fundamental rights** in terms of the Constitution, 1996 is **correct**?

- (1) None of the fundamental rights contained in the Bill of Rights can be limited under any circumstances.
- (2) There is a limitation applicable in the case of "discrimination" since only unfair discrimination will be unconstitutional.
- (3) No provision is made for a limitation where one fundamental right is in direct conflict with another.
- (4) The right to human dignity may be suspended when the state declares a state of emergency.

Question 7

Certain rights contained in the Bill of Rights are **non-derogable**. Which one of the following rights is **protected in its entirety**?

- (1) right to equality
- (2) right to life
- (3) right to privacy
- (4) right to property

Question 8

Read the following scenario and answer the question that follows:

Francis frequently goes to the Arts and Crafts Market in Johannesburg with her friends. One Saturday, as she is walking in Juta Street, a man approaches her and grabs her handbag out of her hands. Francis starts chasing the man and shouts for help. A number of bystanders succeed in chasing the man down and the police are called. The police arrest the man, who is identified as Robert Beukes, for theft.

Who will decide if Robert will be tried in the Magistrate's Court for theft after looking at all the evidence presented by the police?

- (1) magistrate
- (2) state attorney
- (3) state prosecutor
- (4) state advocate

Question 9

Which **court official** will maintain order, silence and decency in the Court when a suspect is tried for theft?

- (1) sheriff
- (2) court interpreter
- (3) magistrate
- (4) court orderly

Question 10

Consider the following three statements and choose the **correct** option below:

In terms of the **Legal Practice Act 28 of 2014** attorneys will now:

- (a) have an automatic right to appear in the High Courts
- (b) be regulated by the Legal Practice Council
- (c) be able to automatically preside as Judges

Options:

- (1) only (a)
- (2) only (b)
- (3) only (c)
- (4) (a), (b) and (c)

Question 11

David Sithole is a law student who wants to practice as an attorney after his studies. Indicate to him which **one** of the following is a **requirement to practice as an attorney**:

- (1) membership of a professional Bar Council
- (2) legal training for at least four years
- (3) successful completion of the bar examination
- (4) successful completion of the admissions examination

Question 12

Which one of the following statements is **correct** regarding the **onus of proof** in a court case?

- (1) In a civil case the plaintiff must prove his case beyond a reasonable doubt.
- (2) In a criminal case the state must prove its case on a balance of probabilities.
- (3) In a criminal and civil case, the onus rests with an individual to prove his case.
- (4) The onus of proof in a civil case is not quite as heavy as in a criminal case.

Question 13

Read the scenario and answer the question that follows:

John Smith was awarded a claim of R500 000 by the High Court against Peter Nel. Peter caused a motor car accident in which John sustained severe injuries. Peter is not satisfied with the ruling of the court, because he is of the opinion that the accident was not his fault.

Which court can Peter approach **next**?

- (1) Constitutional Court
- (2) Magistrate's Court
- (3) Supreme Court of Appeal
- (4) Regional Court

Question 14

What are the **two decisive factors** that will determine the court's **jurisdiction in a criminal dispute**?

- (1) the amount claimed and the geographical area
- (2) the type of offense and the possible sentence
- (3) the type of offense and the relief sought
- (4) the type of offense and the amount claimed

Question 15

Choose the **correct** option:

The **concept** of the lower courts being bound by the decisions of the higher courts is known as:

- (1) judicial precedent
- (2) court structure
- (3) appeal process
- (4) review process

TOTAL: [15]

DID YOU KEEP A COPY OF YOUR ASSIGNMENT?

15 ADDENDUM B: ASSIGNMENTS FOR SECOND SEMESTER

VERY IMPORTANT:

There are **TWO** assignments for the second semester.

Only students registered for the second semester of 2021 must submit these two assignments.

Make sure that you submit the correct assignments for ILW1501.

Assignment 01 is a compulsory assignment.

You must submit Assignment 01 to gain admission to the examination.

If you do not submit Assignment 01 before the due date, you will not be granted admission to the examination.

Remember that Assignment 01 is not only compulsory, but that it also counts 10% of the year mark of 20%.

Assignment 02 is not a compulsory assignment for admission to the examination but counts 10% of the year mark of 20%.

SECOND SEMESTER: ASSIGNMENT 01
CLOSING DATE: 30 AUGUST 2021
UNIQUE NUMBER: 889422

- (1) **Assignment 01** focuses on **Learning Units 1 to 6** of the **Only Study Guide for ILW1501**.
- (2) **Assignment 01** is a **multiple-choice question assignment** with **15 multiple-choice questions**.
- (3) The **total** of Assignment 01 is **15 marks**. Each question counts **one mark**.
- (4) **Assignment 01 MUST be submitted online on myUnisa. NO postal submissions on mark-reading sheets will be accepted.** Study paragraph 9.7.1 and 9.7.2 above on how to complete and submit a multiple-choice question assignment online on myUnisa or by using the Unisa MCQ mobile application (app).
- (5) **Assignment 01 is compulsory for admission to the examination. If you fail to submit your first assignment, you will not be permitted to sit for the examination. Remember that Assignment 01 is not only compulsory, but that it also counts 10% of the year mark of 20%.**
- (6) **Do not wait until the closing date to submit your assignment. Submit your assignment at least 72 hours before the closing date.** This will make provision for unforeseen problems, such as your internet connection could be down / not available on the closing date or myUnisa could be down / not available on the closing date.
- (7) **Remember: Keep a copy of your assignment before you submit it!!**

QUESTIONS 1-15

Question 1

Complete the following sentence by choosing the **correct** option:

The different normative systems correspond in the sense that...

- (1) all these systems govern human behaviour.
- (2) all these systems bind all communities.
- (3) the sanction for all these systems is the same.
- (4) the same agent enforces the sanction for all these systems.

Question 2

What does the term “**formal law**” refer to?

- (1) Legal rules that determine how court cases are decided.
- (2) The part of the law that determines the meaning of legal rules.
- (3) Law that regulates relationships between the state and its citizens.
- (4) The part of the law that regulates relationships between individuals.

Question 3

Complete the following sentence by choosing the **correct** option:

Substantive justice...

- (1) concerns the way in which the legal rule is applied.
- (2) concerns the fairness of the content and meaning of a legal rule.
- (3) provides the procedures that must be followed in legal proceedings.
- (4) can only be achieved when formal justice has been achieved.

Question 4

Which one of the following is **NOT** an example of a legal subject?

- (1) Mr Cyril Ramaphosa, in his personal capacity
- (2) President Cyril Ramaphosa, in his official capacity
- (3) The University of South Africa
- (4) The OR Tambo Building, Unisa Muckleneuk Campus

Question 5

Read the scenario and answer the question that follows:

Sipho concluded a contract of sale with Zodwa. In terms of this contract, Sipho undertook to sell his motor car, a red Mazda CX3, to Zodwa for R163 000. They agreed that Zodwa will pay the purchase price when Sipho delivers the car to her. When Sipho wanted to deliver the car, Zodwa refused to pay the purchase price. She told Sipho that she no longer liked the Mazda CX3 and decided to buy another motor car, a white Toyota RAV.

In the scenario above both Sipho and Zodwa have rights in terms of the private law? Which **rights** are we referring to?

- (1) intellectual property rights
- (2) personality rights
- (3) personal rights
- (4) human rights

Question 6

Different legal systems influenced the development and composition of South African law. Which legal system did **NOT** officially play a role in the development and composition of South African law?

- (1) Roman law
- (2) Roman-Dutch law
- (3) English law
- (4) African customary law

Question 7

What is the **correct term** used for African customary law that has to some extent been recorded in writing, for example in legislation, court decisions and textbooks?

- (1) primary customary law
- (2) official customary law
- (3) unofficial customary law
- (4) living customary law

Question 8

Indicate the **correct** option:

The fact that various systems of law are applied in South Africa is known as:

- (1) the personality principle
- (2) the reception of law
- (3) legal pluralism
- (4) codification of law

Question 9

Read the following scenario and answer the question that follows:

Karel and Martie van der Merwe enter into an agreement with New Visions Kitchens to renovate their kitchen. They agree that New Visions Kitchens will replace their old stove with a new Easycook stove. The new stove has a two-year guarantee.

The stove is delivered to Karel and Martie's home. The following day Karel's brother, who repairs electrical appliances, looks at the stove and tells Karel that it is not a new stove. Karel phones New Visions Kitchens, to register his dissatisfaction about the stove they delivered but they refuse to speak to him.

Which main division of the law is applicable to this scenario and why?

- (1) Public law, because public law deals with the interests of the community.
- (2) Public law, because public law ensures the protection of individuals' interests.
- (3) Private law, because private law deals with the interests of the community.
- (4) Private law, because private law ensures the protection of individuals' interests.

Question 10

Which **division of the public law** is concerned with the institution of the state, its organisation, and the governing of the powers of the state organs?

- (1) statutory law
- (2) constitutional law
- (3) administrative law
- (4) public international law

Question 11

Read the following scenario and answer the question that follows:

Mr and Mrs Khumalo have not concerned themselves with what would happen to their possessions when they are no longer around. During their annual holiday, they are involved in a fatal car accident. Their children are now eager to hear what will happen to their parents' possessions.

Which subdivisions of the law of patrimony will be applicable to this scenario?

- (1) law of persons and family law
- (2) law of property and law of succession
- (3) family law and law of property
- (4) law of obligations and law of succession

Question 12

Complete the sentence by choosing the **correct** option:

The Constitution of the Republic of South Africa, 1996 is...

- (1) South Africa's first Constitution.
- (2) a codification of South African law.
- (3) a written and democratic Constitution.
- (4) an ordinary statute just like all other statutes.

Question 13

Read the following scenario and answer the question that follows:

Mr and Mrs Jones cannot have children of their own. They decide to adopt a child. Just before they can receive their new baby, they encounter problems with the adoption. They approach Jane Mothibe, their attorney, to explain to them what their legal position is.

What is the **first source of law** that Jane will have to consult to assist them?

- (1) private law
- (2) family law
- (3) statutory law
- (4) case law

Question 14

Read the following scenario and answer the question that follows:

A hard drive containing the personal data of 500 University employees was stolen by a disgruntled employee and released without permission into the public domain. The employee who released the personal records was caught and the matter is currently being argued in the High Court. You are a clerk at the High Court, tasked with finding relevant sources of law that will assist the Judge in preparing her judgment. During your research, you come across a number of sources relevant to the case.

Which one of the following sources of law will the Judge use as a last resort in preparing her judgment?

- (1) The Constitution of the Republic of South Africa, 1996
- (2) The views of modern South African legal writers in law journals and text books
- (3) South African case law on the release of stolen personal data
- (4) The South African Electronic Communications and Transactions Act 25 of 2002

Question 15

Consider the following case reference and complete the sentence by choosing the correct option:

In the case of *S v Makwanyane and Another* (CCT3/94) **1995** (3) SA 391 (CC), refers to the year in which the ...

- (1) case was heard for the first time.
- (2) court reserved judgment in the case.
- (3) court gave its final judgment.
- (4) case was reported in the Law Reports.

TOTAL: [15]

DID YOU KEEP A COPY OF YOUR ASSIGNMENT?

SECOND SEMESTER: ASSIGNMENT 02
CLOSING DATE: 30 SEPTEMBER 2021
UNIQUE NUMBER: 858526

- (1) **Assignment 02** focuses on **Learning Units 7 to 12** of the **Only Study Guide for ILW1501**.
- (2) **Assignment 02** is a **multiple-choice question assignment** with **15 multiple-choice questions**.
- (3) The **total** of Assignment 02 is **15 marks**. Each question therefore counts **one mark**.
- (4) **Assignment 02 MUST be submitted online on myUnisa. NO postal submissions on mark-reading sheets will be accepted.** Study paragraph 9.7.1 and 9.7.2 above on how to complete and submit a multiple-choice question assignment online on myUnisa or by using the Unisa MCQ mobile application (app).
- (5) **Assignment 02 is not a compulsory assignment for admission to the examination but counts 10% of the year mark of 20%.**
- (6) **Do not wait until the closing date to submit your assignment. Submit your assignment at least 72 hours before the closing date.** This will make provision for unforeseen problems, such as your internet connection could be down / not available on the closing date or myUnisa could be down / not available on the closing date.
- (7) **Remember: Keep a copy of your assignment before you submit it!!**

QUESTIONS 1-15

Question 1

Read the following statement and fill in the missing word from the options below:

The _____ by which a country is governed are found within that country's Constitution.

Options:

- (1) religion
- (2) rules
- (3) ethics
- (4) morals

Question 2

Consider the following three statements and choose the **correct** option below:

- (a) The Constitution drives the process of social and economic transformation, through transformative constitutionalism.
- (b) According to restorative justice, reconciliation rather than retribution should be the focus of addressing past injustices.
- (c) To ensure that our democracy succeeds, a number of special features have been built into the Constitution.

Options:

- (1) only (a)
- (2) only (b)
- (3) only (c)
- (4) (a), (b) and (c)

Question 3

Read the following scenario and answer the question that follows:

Lerato joins a prominent law firm as a candidate attorney. During the course of her employment, she finds out that she is pregnant and makes the necessary arrangements for maternity leave. During her pregnancy, the firm does not give her any work and then, to her dismay, she is subsequently dismissed just before she is due to give birth.

Which **specific fundamental right** has been infringed in this scenario?

- (1) right to equality
- (2) right to freedom of profession
- (3) right to freedom of the person
- (4) right to just administrative action

Question 4

Indicate the **correct** option:

The Constitutional Court found the definition of marriage to be **unconstitutional** on grounds of the fundamental rights to:

- (1) human dignity and freedom of association
- (2) equality and human dignity
- (3) bodily integrity and equality
- (4) freedom and security of the person and human dignity

Question 5

Read the following scenario and answer the question that follows:

During the Covid-19 pandemic, Africa Medical supplies (Pty) Ltd decides to increase their profits by selling personal protective equipment at 500 percent of the cost price. An anti-corruption unit which forms part of the government, begins investigating companies that are taking advantage of the pandemic for profitable gain. Africa Medical Supplies (Pty) Ltd is one of the companies under investigation.

Which one of the following **applications of the Bill of Rights** does this scenario involve?

- (1) horizontal
- (2) vertical
- (3) linear
- (4) general

Question 6

From the options below, which case declared certain sections of the **Electoral Act 73 of 1998 unconstitutional**, resulting in amendments to the Act?

- (1) *S v Makwanyane and Another* (CCT 3/94) 1995 (3) SA 391 (CC)
- (2) *Fraser v Children's Court, Pretoria North and Others* 1997 (2) SA 261 (CC)
- (3) *Minister of Home Affairs and Another v Fourie and Another* (CCT 60/04) [2005] ZACC 19
- (4) *Richter v Minister of Home Affairs and Others* (CCT03/09, CCT 09/09) [2009] ZACC 3

Question 7

Which one of the following statements regarding the **Legal Practice Act 28 of 2014** is **correct**?

- (1) The Act does not apply to candidate attorneys, candidate advocates and paralegals.
- (2) The purpose of the Act is to restrict entry into the legal professions of attorneys and advocates.
- (3) In terms of the Act the Legal Practice Council regulates the affairs of legal practitioners.
- (4) The Act grants attorneys the automatic right of appearance in all high courts.

Question 8

Which one of the following statements about **presiding officers** is **true**?

- (1) Judges are presiding officers in the lower courts.
- (2) Judges are presiding officers in the higher courts.
- (3) Magistrates are presiding officers in the higher courts.
- (4) Judges and Magistrates may preside in any court.

Question 9

What are the **two types of proceedings** that legal practitioners may use to institute a **civil case**?

- (1) appeal and review proceedings
- (2) summons and notice proceedings
- (3) action and application proceedings
- (4) criminal and civil proceedings

Question 10

Read the following scenario and answer the question that follows:

Jimmy has been implicated in illegally growing and selling marijuana/dagga from his home. The police have come to investigate the matter and present him with a legal document, authorising them to search his home.

What **legal document** would the police have presented to Jimmy in order to search his home?

- (1) a search warrant
- (2) a court summons
- (3) a charge sheet
- (4) a notice of motion

Question 11

Read the following scenario and answer the question that follows:

Mantombi institutes a claim against Pets Place (Pty) Ltd for the negligent treatment of her pet poodle while in their care. During the court process, Mantombi notices the owner of Pets Place passing over an envelope of money to the Magistrate. Mantombi is in shock and believes that she will definitely lose the case as the Magistrate is clearly corrupt.

What **court process** is available to Mantombi to **remedy** this situation?

- (1) appeal
- (2) review
- (3) interdict
- (4) indictment

Question 12

When a matter goes on **appeal**, what are the **parties** to the appeal case called?

- (1) plaintiff and defendant
- (2) state and accused
- (3) judge and magistrate
- (4) appellant and respondent

Question 13

Consider the following three statements about **evidence presented in court** and choose the **correct** option below:

- (a) Real evidence includes affidavits, blood results, books and maps.
- (b) Documentary evidence includes weapons, clothes and fingerprints.
- (c) Electronic evidence includes emails, data messages and electronic data.

Options:

- (1) only (a)
- (2) only (b)
- (3) only (c)
- (4) (a), (b) and (c)

Question 14

Read the following scenario and answer the question that follows:

Mr Pillay and Mr Reddy are involved in a heated argument. Mr Pillay hits Mr Reddy repeatedly with a bottle of wine over the head. Mr Reddy sustains several injuries and opens a case of assault against Mr Pillay.

What will the **name** of the criminal case against Mr Pillay be?

- (1) *Reddy v Pillay*
- (2) *S v Pillay*
- (3) *Pillay v S*
- (4) *Pillay v Reddy*

Question 15

Which one of the following statements about the **jurisdiction of courts** is **correct**?

- (1) In a civil case the two factors that determine the court's jurisdiction are the possible sentence and the type of case.
- (2) In a criminal case the two factors that determine the court's jurisdiction are the relief sought and the amount claimed.
- (3) The *court a quo* is the court that hears the case for the first time or the court in which the case starts.
- (4) In South Africa the courts do not have jurisdiction within a specific geographical area of the country.

TOTAL: [15]

DID YOU KEEP A COPY OF YOUR ASSIGNMENT?

16 ADDENDUM C: PLAGIARISM POLICY OF THE COLLEGE OF LAW

The College of Law is committed to the Unisa ideal of research that is based on integrity, quality and rigour. All work must meet the ideal of academic integrity. Academic integrity can be defined as the meaningful and concerted effort to ensure honesty, trust, fairness, respect and responsibility in research. All research at CLAW, whether a first-year assignment or a doctoral thesis, should be guided by this ideal.

The opposite of academic integrity is academic dishonesty. In line with Unisa's policies, the following activities are forms of academic dishonesty:

- **Copying/cut-and-paste/patch-writing:** This type of dishonesty involves just copying someone else's work either word-for-word or changing it slightly without indicating that it is copied by, for example, putting it in inverted commas or brackets.
- **Absence of references:** This involves using someone else's ideas, thoughts, insights or data without acknowledging that they are not your own.
- **Cheating/falsifying information:** This is the manufacturing of data which does not exist or leaving out contradictory evidence, also sometimes called cherry-picking.
- **Padding:** This refers to the practice of referring to sources that were not consulted, but which makes the footnotes and/or bibliography seem more impressive.
- **Too many quotes:** This form of dishonesty is one where more than 15% of the work consists of quotes.
- **Incorrect referencing:** Incorrect referencing shows a lack of rigour and of disciplinary expertise.
- **Helping someone cheat:** This might range from the innocuous (allowing someone to copy from you) to the more severe (providing someone with the means to cheat). It is the reason why students are not allowed to hand in the same assignment, even if they worked in a group.

PLEASE NOTE: If your work contains any of these forms of academic dishonesty or any other kind of dishonesty not included here, you will be awarded a mark of 0 (zero) and disciplinary action may be taken against you.