



education

Department:
Education
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NATIONAL CERTIFICATES (VOCATIONAL)

SUBJECT GUIDELINES

INTRODUCTION TO LAW NQF Level 2

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INTRODUCTION TO LAW - LEVEL 2

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INTRODUCTION

A. What is the subject about?

For anybody to be employed in the Criminal Justice System, a basic knowledge of the laws of our country is essential. This subject will enable the student to recognize the key principles of the law and legal rules of our country. The aim in the course of delivery of this subject would be to identify and name the different sources of the South African law, in other words, where do the laws come from. As this might be the student's first introduction to our laws, this subject will briefly introduce the student to our country's most important laws, namely private law, mercantile law, public law and indigenous law. As administration is of such great importance for the efficient functioning of our justice system, this subject will assist the student to recognize the processes in the administration of justice.

B. Why is this subject important in the learning programme?

All the role players in the criminal justice system use a great number of our country's laws on a day-to-day basis in the execution of their duties as criminal justice officials. There is for this reason a symportial relationship between subjects such as Law and Police Practice, Criminology, Criminal Justice and even Governance. As a result of the high crime rate in South Africa, criminal justice officials need to have a basic knowledge on the different laws of the country in order to combat and adjudicate crime.

C. The link between the Learning Outcomes for Introduction to Law and the Critical and Developmental Outcomes

After completion of this subject the student will have a basic knowledge of some important legislation of South Africa. This will enable them to understand the laws of the country and to perform their duties as members of the policing agencies such as South African Police Service (SAPS), Metropolitan Police Agencies, Traffic Policing Agencies and the Military Police Division (MPD), and the judiciary.

D. Factors that contribute to achieving Introduction to Law Learning Outcomes

Students should have a basic awareness of the manifestations and resolution of the crime problem. An interest in legislation and how these laws empower and assist criminal justice officers is a basic necessity to be successful in this subject. After completion of this subject, students need to have the ability to name and list the basic principles, embedded in the various laws.

1 DURATION AND TUITION TIME

This is a one-year instructional programme comprising 200 teaching and learning hours. The subject may be offered on a part-time basis provided the student meets all the assessment requirements.

Students with special education needs (LSEN) must be catered for in a way that eliminates barriers to learning.

2 SUBJECT LEVEL FOCUS

- Recognize the key principles of the law and legal rules of South Africa
- Identify and name the different sources of the South African law - where the laws come from.
- Introduce the country's most important laws, namely private law, mercantile law, public law and indigenous law
- Assist recognition of the processes in the administration of justice.

3 ASSESSMENT REQUIREMENTS

3.1 Internal assessment (50 percent)

3.1.1 Theoretical component

The theoretical component forms 40 percent of the internal assessment mark.

Internal assessment of the theoretical component in Introduction to Law (Level 2) takes the form of observation, class questions, group work, informal group competitions with rewards, individual discussions with students, class, topic and semester tests and internal examinations. Lecturers can observe students when marking exercises from the previous day and asking class questions.

Assignments, case studies and tests can be completed at the end of a topic. Tests and internal examinations must form part of the internal assessment.

3.1.2 Practical component

The practical component forms 60 percent of the internal assessment mark.

Practical components include applications and exercises. All practical components must be indicated in a PoE.

Internal assessment of the practical component in Introduction to Law Level 2 takes the form of assignments, practical exercises, case studies and practical examinations in a simulated business environment.

Students may complete practical exercises daily. Assignments and case studies can be completed at the end of a topic. Practical examinations can form part of internal practical assessment.

- **Some examples of practical assessments include, but are not limited to:**
 - A. Presentations (lectures, demonstrations, group discussions and activities, practical work, observation, role-play, independent activity, synthesis and evaluation)
 - B. Exhibitions by students
 - C. Visits undertaken by students based on a structured assignment task
 - D. Research
 - E. Task performance in a "Structured Environment"

• Definition of the term “Structured Environment”

For the purposes of assessment, “Structured Environment” refers to a simulated workplace or workshop environment. Activities in the simulated workplace or environment must be documented in a logbook with a clear listing of the competencies to be assessed. The following information must be contained in the logbook:

- Nature of department or environment in which practical component was achieved
- Learning Outcomes
- Activities in the environment with which to achieve the Learning Outcomes
- Time spent on activities
- Signature of facilitator or supervisor and student

For the logbook to be regarded as valid evidence, it must be signed by an officially assigned supervisor.

• Evidence in practical assessments

All evidence pertaining to evaluation of practical work must be reflected in the student's PoE. The tools and instruments constructed and used to conduct these assessments must be clear from the evidence contained in the PoE.

3.1.3 Processing of internal assessment mark for the year

A year mark out of 100 is calculated by adding the marks of the theoretical component and the practical component of the internal continuous assessment (ICASS).

3.1.4 Moderation of internal assessment mark

Internal assessment is subjected to internal and external moderation procedures as set out in the *National Examinations Policy for FET College Programmes*.

3.2 External assessment (50 percent)

A national examination is conducted annually in October or November by means of a paper(s) set and moderated externally. A practical component will also be assessed.

External assessment details and procedures are set out in the *Assessment Guidelines: Introduction to Law (Level 2)*

4 WEIGHTED VALUES OF TOPICS

TOPICS	WEIGHTED VALUE
1. Key principles of law and legal rules	12%
2. Sources of South African Law	12%
3. Private Law	15%
4. Mercantile Law	12%
5. Public Law	15%
6. Indigenous Law	14%
7. Administration of justice	20%
TOTAL	100

5 CALCULATION OF FINAL MARK

Internal assessment mark: Student's mark/100 x 50 = a mark out of 50 (a)

Examination mark: Student's mark/100 x 50 = a mark out of 50 (b)

Final mark: (a) + (b) = a mark out of 100

All marks are systematically processed and accurately recorded to be available as hard copy evidence for, amongst others, reporting, and moderation and verification purposes.

6 PASS REQUIREMENTS

The student must obtain at least fifty (50) percent in ICASS and fifty (50) percent in the examination.

7 SUBJECT AND LEARNING OUTCOMES

On completion of Introduction to Law. Level 2, the student should have covered the following topics:

Topic 1:	Key principles of law and legal rules
Topic 2:	Sources of South African law
Topic 3:	Private Law
Topic 4:	Mercantile Law
Topic 5:	Public Law
Topic 6:	Indigenous Law
Topic 7:	Administration of justice

7.1 Topic 1: Key principles of law and legal rules

7.1.1 Subject Outcome 1: Recognize the key principles of law and legal rules

Learning Outcomes:

The student should be able to:

- Identify and list legal norms
- Describe law, morality and justice
- Describe legal rules

7.2 Topic 2: Sources of South African law

7.2.1 Subject Outcome 1: Name the sources of South African Law

Learning Outcomes:

- Describe the role of the Common law
- Describe the role Judicial Precedent
- Describe the roles of Statutes
- Describe the roles of customs

7.3 Topic 3: Private Law

7.3.1 Subject Outcome 1: Identify the Private Law

Learning Outcomes:

The student should be able to:

- Describe the Law of Persons with examples
- Describe the Family Law with examples
- Describe the Law of Things with examples
- Describe the Law of Succession with examples
- Describe the Law of Obligation with examples
- Describe the Law of Contract with examples
- Describe the Law of Delict with examples

7.4 Topic 4: Mercantile Law

7.4.1 Subject Outcome 1: Identify the Mercantile Law

Learning Outcomes:

The student should be able to:

- Describe Partnership with examples
- Describe Company Law with examples
- Describe Close Corporations with examples
- Describe Insolvency with examples
- Describe Negotiable Instruments with examples
- Describe Insurance Law with examples
- Describe Taxation with examples
- Describe Labour Law with examples
- Describe Immaterial Property Law with examples

7.5 Topic 5: Public Law

7.5.1 Subject Outcome 1: Identify Public Law

Learning Outcomes:

The student should be able to:

- Describe the Constitutional Law with examples
- Describe the Administrative Law with examples
- Describe the Criminal Law with examples
- Describe the Formal Law with reference to the Civil Procedure, Criminal Procedure and the Law of Evidence with examples

7.6 Topic 6: Indigenous Law

7.6.1 Subject Outcome 1: Identify Indigenous Law

Learning Outcomes:

The student should be able to:

- Describe the role of the Indigenous Law with examples
- Describe the development of the Indigenous Law in a democracy

7.7 Topic 7: Administration of Justice

7.7.1 Subject Outcome 1: Recognize the administration of justice

Learning Outcomes:

The student should be able to:

- Describe the structure of courts with examples
- Describe the court procedures with examples

8 RESOURCE NEEDS FOR THE TEACHING OF INTRODUCTION TO LAW - LEVEL 2

8.1 Physical resources

Classroom equipped with didactical requirements (e.g. writing board, overhead projector)

8.2 Human resources

The lecturer should ideally be a person with the relevant qualification. Practical experience in the field of the criminal justice is a recommendation.

8.3 Other resources

- Arrange for the attendance of a court hearing.
- Find newspaper clippings which contain reports on crimes committed and discuss these reports with students
- Simulate a mock court in the class room