Commercial Law

(Offered by the Department of Mercantile Law)
Telephone number 012 429 8436

Introduction

Commercial Law deals with the legal principles applied in the world of business. Of cardinal importance are the various forms of contract that businessmen deal with on a daily basis. In addition, attention is given to aspects such as competition and dispute resolution techniques.

General Information

- Modules in Commercial Law may not be taken by students who select Private Law as a major subject.
- Credit for a degree is granted for study units in either Commercial Law or Mercantile Law but not for both.
- Credit for a degree is granted for:
  (i) either COL100 or modules in Commercial Law on first level
  (ii) either CLL100 or COL100
  (iii) either CLL200 or COL200
  (iv) either CLA201 or CLA311
  (v) Any modules in Commercial Law on second-year level and the equivalent paper thereof
  (vi) either CLA104 or CLA102 (or 103)

For the College of Human Sciences

- BA students who select Economics or another major subject from Group B, may NOT include modules in Commercial Law in their curriculum.
- Students who include Commercial Law in their BA curriculum must include module CLA101 and CLA104.

For the College of Economic and Management Sciences

A BCompt student who passed (or was exempted from):
(i) Commercial Law II (CLL200) prior to 1983 receives credit for only the module CLA201.
(ii) both Commercial Law II and III prior to 1983 will be exempted from the modules CLA201 and 202.

Transitional Arrangements

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<tr>
<th>Study unit passed</th>
<th>Modules which may not be taken</th>
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<tbody>
<tr>
<td>COL201</td>
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<td>COL202</td>
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Syllabus

First-Level Modules

CLA102S Commercial Law 1A (S1 and S2)*
Syllabus:
Section A
(a) The South African legal system
(b) Introduction to the theory of law
Section B: The law of obligations; introduction to the law of contract; the formation of a contract; principles and rules concerning valid and binding contracts; breach of contract; remedies on the ground of breach of contract; the transfer and termination of obligations

CLA104V Commercial Law 1B (S1 and S2)*
Co-requisite: CLA101
Syllabus:
Section A: Specific contracts: contract of lease, contract of purchase and sale, insurance contract, employment contract
Section B: Law of agency, forms of business enterprise, security, law of competition, franchising, alternative dispute resolution

Second-Level Modules

CLA201V Commercial Law 2A (S1 and S2)*
Syllabus: Company law; close corporations; law of partnerships

CLA202W Commercial Law 2B (S1 and S2)*
Syllabus: Negotiable instruments and other methods of payment; administration of estates; law of trusts; law of insolvency