

**COLLEGE OF LAW**  
**SCHOOL OF LAW: DEPARTMENT OF**  
**JURISPRUDENCE**  
**SKILLS COURSE FOR LAW STUDENTS (SCL1501)**  
**TUTORIAL LETTER 201/2011**  
**(First Semester)**

**FEEDBACK : ASSIGNMENTS 01 and 02 (FIRST SEMESTER):**

This tutorial letter is intended to give you feedback/memo relating to both Assignments 01 and 02 of the first semester. It is also **the last tutorial letter for SCL1501 this semester.**

Dear Student

This is your last tutorial letter for this course (SCL1501) this semester (Semester 01). It contains feedback or comments on both Assignments 01 and 02.

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**1 EXERCISES IN THE WORKBOOK**

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We hereby remind you that the exercises in your workbook remain an important component of your tutorial matter in this module. As stated in your tutorial letter 101/3/ 2011 **we will not send** you feedback/answers to the exercises in the workbook. The reason for this is that we have learnt that many students do not do the exercises and rather wait until they receive the memo. This defeats the whole purpose of the *Workbook* as students do not derive much value from the Workbook if they do the exercises with the answers already at their disposal. The purpose of the Workbook is to offer you an opportunity to assess yourself as you proceed with your tutorial material

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**2 FEEDBACK ON ASSIGNMENT 01 (UNIQUE NUMBER: 850283)**

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**Question 1.** The correct statement is **option 2**. The student should take responsibility for his/her studies. See item 1.3 on page 3 of your Study Guide.

**Question 2.** The correct statement is **option 1**. See 1.3.1 on page 5 of your Guide.

**Question 3.** The correct statement is **option 2**. See first bullet point under item 1.4 on page 7 of your Study Guide. The word “social” refers to aspects relating to “people” or “human beings”.

**Question 4.** The correct statement is **option 3**. This is an aspect of motivation. See items 1.5 and 1.5.1 on page 8 of your Study Guide. Note that negative external motivation is a kind of motivation. Further note that there is no “negative internal motivation”.

**Question 5.** The correct statement is **option 4**. This question deals with time management. Read pages 10-12, particularly item 1.7.2, of your Study Guide.

**Question 6.** The correct statement is **option 4**. See bullet points under item 1.8.3 on page 14 of your Study Guide.

**Question 7.** The correct statement is **option 3**. Refer to item 2.2 on pages 26-27 of your Study Guide. See bullet points on those pages, particularly item (d) in the last bullet.

**Question 8.** The correct statement is **option 1**. Only a legislative body (e.g. National Parliament) can create law in this way (legislation). Note that Parliament is a state organ.

**Question 9.** The correct answer is **option 4**. See pages 30-31 of your Study Guide.

**Question 10.** The correct statement is **option 3**. See pages 31 and 35 of your Study Guide.

**Question 11.** The correct statement is **option 4**. See page 36 of your Study Guide. Read item 2.3 (c) , particularly bullet two.

**Question 12.** The correct statement is **option 4**. See page 76 of your Study Guide. Specifically refer to item 3.2. Court cases are examples of primary sources of law, and *S v Makua* is an example of a court case.

**Question 13.** The correct statement is **option 3**. See page 40 of your Study Guide.

**Question 14.** The correct statement is **option 4**. See page 116 of your Study Guide under “closing argument”.

**Question 15.** The correct statement is **option 4**. See item 3.5 on page 84 of your Study Guide.

**Question 16.** The correct statement is **option 4**. Read item 5.5.3 under “percentages” on pages 125-128 of your Study Guide. Note page 126 in particular.

**Question 17.** The correct statement is **option 3**. Read item 5.9 (page 130) and follow the examples. Note that in this question we want to find out what the interest will be in 2 years (not 1 year).

**Question 18.** The correct statement is **option 3**. See pages 99-100 of your Study Guide. Read particularly item 4.3.1 on page 99.

**Question 19.** The correct answer is **option 2**. See paragraph at the top of page 111.

**Question 20.** The correct answer is **option 3**. Read item 4.7.1 on page 114 (examination in chief) and page 116 (cross examination) of your Study Guide to establish this point.

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### 3 FEEDBACK ON ASSIGNMENT 02 (WRITTEN)

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#### PART A

##### Question 1.

- (i) You will find helpful information on page 5 of your Study Guide (item 1.3.1). Remember that the question requires you to use your own words and examples.
- (ii) For this question you need to read item 1.3.2 (pages 5-6) of your Study Guide.
- (iii) Read item 1.3.3 (page 6) of your Study Guide in this regard. Various assessment activities (e.g. homework, tests, assignments, exams) characterise this phase.

**Question 2.** In responding to this question, you were expected to establish what this kind of contract is, and what it entails. Your answer should reflect the (i) parties (yourself only) (ii) description of the subject matter or terms (what you are binding yourself to) (iii) Breach clause (what happens in the event the term/s is/are broken or violated) (iv) remedies (v) date (vi) witnesses (vii) signatures (viii) place where it was signed etc.

**Question 3.** The question requires you to show an understanding of making notes through the use of visual notes. You may choose any such strategy (e.g. mid-map, spider gram etc). In other words, your response should not be a narrative representation (sentences or paragraphs). You must have a picture or mental

representation in the form of a picture/diagram etc to represent the content of the text. The representation may include the following aspects:

- (i) What brought about the change in the gae of majority
- (ii) Why is the change necessary
- (iii) Who is affected
- (iv) Which other laws are affected by the change
- (v) Lastly provide the general impact of the change as indicated in the article (**do not criticise the article or provide own opinion**). See hints on making good summaries under item 1.11.1 on pages 19-20 of your Study Guide.

#### Question 4

- (i) An important aspect of this question lies in the action word “distinguish”. You must show that you can differentiate the two concepts. Read item 3.4.1 in your Study Guide, specifically pages 77-80 (legislation) and pages 82-84 (common law).
- (ii) As in (i) above, you should show that you know the difference between the two concepts. See page 116 for useful information in this regard.

**Question 5.** An attorney’s account has been discussed under item 5.12 (see pages 132-134) of your Study Guide. You should particularly make sure that you understand the concept “**or part thereof**”. It is also important that you draw the **columns/lines** reflecting the entries (e.g. items, fees, costs).Here follows the account:

Item/service	Fees	Costs/Expenses
Received Letters 3 x R15	R45	
Written Letters 10x R35	R350	
Stamps		R10
Summons	R525	
Affidavit 9 ¼ pages : 10xR30	R360	
Advocate’s brief		R1425 +1 4%= R1624.50
Consultation minutes= 66min= 3xR350	R1050	
Telephone calls: 1 for 18min=2xR50 1 for 23 min =2 x R50 2 for 9 min = 2 x R50	R300	
	<b>Total=R2570-00</b>	<b>Total=R1634.50</b>

+ Vat 14%                      + R359.80 = **R2929.80**

Add Costs                      + **R1634.50**

**R4564.30**

**Question 6**

For this question, see item 5.3 (pages 121-122) of your Study Guide. To determine Modubung's contribution to the partnership you should subtract R455 000 from R1 382 799. Thus,  $R1\ 382\ 799 - R455\ 000 = R927\ 799$

**Question 7**

Since tax is already deducted from her basic monthly salary (R18 000), your calculations should mainly involve the amount payable for overtime.

$6 \times 960 = R5760$ . Answer:  $R18000 + (R5760 - 45\%)$

Thus,  $R18\ 000 + R3168 = \mathbf{R21168}$

**Question 8**

In this regard see page 127 (example 5). New distance is:  $326\ \text{km} - 15\% = \mathbf{277,1\ \text{km}}$

**Question 9**

See item 5.7 (pages 128-129). Follow examples 1 and 2 thereon.

$3:1 = 4$

Bapela =  $\frac{1}{4} \times 190\ 00 = R47\ 500$

Sebola =  $\frac{3}{4} \times 190\ 00 = R142\ 500$

Answer: **R142 500**

**PART B**

This part of your Assignment 02 required you to personally visit a court of law and observe a real court case. The purpose of this part of the assignment is to expose you, **as a law student**, to a real court environment. There is no single answer or response that was expected from you in dealing with the set questions because individual students observed different matters in various courts across the country, or even across the world! **We will not mark this part of the assignment if the last page of the observation sheet is not completed by the clerk of the court (or the Registrar) as instructed: signature, date and the stamp.**

However we want to make the following remarks in relation to the various questions:

**5.** Here, with reference to the court case you have observed, you have to give reasons why you think the case is a criminal or civil matter (depending on your response for question 4).

**7.** Here we expected you to give a short description of what the matter or issue before the court was. It will not be sufficient for you to merely say: "theft" or "bail".

**9.** There are those cases that might have not been concluded on the day(s) you went for the observation. Here, you have to state what the magistrate / judge decided on that particular day. For example, "the magistrate postponed the matter to enable the state to gather more evidence etc."

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#### **4 SATELLITE BROADCAST AND DISCUSSION CLASSES**

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We are very happy that most of you “attended” the satellite class/lecture which was broadcast on 13 April 2011. We also want to congratulate all those who attended the discussion classes which we conducted in the various centres across the country. We always enjoy the interactions that go with these classes.

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#### **5 FORMAT OF YOUR EXAMINATION PAPER**

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As indicated in paragraph 8.2 of Tutorial Letter 101/2011, the total marks for the SCL1501 examination will be 100, which mark will be adapted to 80. The paper comprises five sections, to cover all the study units in this module. There are no so-called “multiple choice” questions. However, the paper takes a fill-in format, in which sense you are expected to write your answers on the spaces provided in the examination book. Thus, the examination book comprises the question paper and the answer sheet. The mark allocation for the various sections is as follows:

- Section 1 (Study Skills): 25 marks
- Section 2 (Research Skills): 10 marks
- Section 3 (Communication Skills): 20 marks
- Section 4 (Reading Skills): 25 marks
- Section 5 (Numeric Skills): 20 marks

Note that you are allowed to use your pocket calculator in the exams, and **NOT** your cell phone. Please write fast (do not waste time on unnecessary things)!

Finally, we wish you the best in these coming exams!

Kind regards

**DAVID LETSOALO**  
**FM MAHLOBOGWANE**

PRETORIA