

# NATIONAL DIPLOMA: LEGAL ASSISTANCE

Qualification code: NDLE00 - NQF Level 6

Campus where offered: Soshanguve South and Mbombela campuses  
Last year of new intake: 2019  
Teach-out (phase-out) date: 31 December 2023

Students registered for this qualification should complete their studies according to the teach-out date prescribed for the qualification, subject to the stipulations of Regulation 3.1.11 and 3.1.13 in the Students' Rules and Regulations.

Information on phased-out programmes can be obtained from the TUT website, [www.tut.ac.za](http://www.tut.ac.za).

## CURRICULUM

Consult the 2019 Faculty Prospectus for the full contents of the qualification.

### FIRST YEAR

CODE	SUBJECT	CREDIT	PREREQUISITE SUBJECT(S)
LLS100T	Language and Life Skills	(0,125)	

#### FIRST SEMESTER

LGP10AT	Legal Practice for Paralegals IA	(0,125)	
MCL10AT	Mercantile Law for Paralegals IA	(0,125)	
PRW10AT	Practical Private Law for Paralegals IA	(0,125)	

#### SECOND SEMESTER

CLS101T	Computing for Legal Assistants I	(0,125)	
LGP10BT	Legal Practice for Paralegals IB	(0,125)	
MCL10BT	Mercantile Law for Paralegals IB	(0,125)	
PRW10BT	Practical Private Law for Paralegals IB	(0,125)	

TOTAL CREDITS FOR THE FIRST YEAR: **1,000**

### SECOND YEAR

CODE	SUBJECT	CREDIT	PREREQUISITE SUBJECT(S)
LLA110T	Labour Law I	(0,150)	
PCL110T	Practical Criminal Law for Paralegals I	(0,150)	

#### FIRST SEMESTER

DMV101T	Delicts and Motor Vehicle Accidents I	(0,100)	
LGP20AT	Legal Practice for Paralegals IIA	(0,125)	Legal Practice for Paralegals IA Legal Practice for Paralegals IB
MCL20AT	Mercantile Law for Paralegals IIA	(0,125)	Mercantile Law for Paralegals IA Mercantile Law for Paralegals IB

#### SECOND SEMESTER

DRS101T	Dispute Resolution I	(0,050)	
LGP20BT	Legal Practice for Paralegals IIB	(0,125)	Legal Practice for Paralegals IA Legal Practice for Paralegals IB
MCL20BT	Mercantile Law for Paralegals IIB	(0,125)	Mercantile Law for Paralegals IA Mercantile Law for Paralegals IB



WFL101T Welfare Law I (0,050)

TOTAL CREDITS FOR THE SECOND YEAR: 1,000

### THIRD YEAR

CODE	SUBJECT	CREDIT	PREREQUISITE SUBJECT(S)
CIT100T	Civil Practice I	(0,150)	
MCL300T	Mercantile Law for Paralegals III	(0,250)	Mercantile Law for Paralegals IIA Mercantile Law for Paralegals IIB

### FIRST SEMESTER

EXP1LAS	Work-Integrated Learning (offered in the first- or second semester)	(0,000)	
EXP1LAR	Work-Integrated Learning (re-registration) (offered in the first- or second semester)	(0,000)	
LGP30AT	Legal Practice for Paralegals IIIA	(0,125)	Legal Practice for Paralegals IIA Legal Practice for Paralegals IIB
LRW101T	Legal Research and Writing I	(0,100)	
PLP10AT	Practical Law: Procedure IA	(0,100)	
SMB111T	Small Business Management I	(0,050)*	

### SECOND SEMESTER

LGP30BT	Legal Practice for Paralegals IIIB	(0,125)	Legal Practice for Paralegals IIA Legal Practice for Paralegals IIB
PLP10BT	Practical Law: Procedure IB	(0,100)	

TOTAL CREDITS FOR THE THIRD YEAR: 1,000

TOTAL CREDITS FOR THE QUALIFICATION: 3,000

## SUBJECT INFORMATION (OVERVIEW OF SYLLABUS)

The syllabus content is subject to change to accommodate industry changes. Please note that a more detailed syllabus is available at the Department or in the study guide that is applicable to a particular subject. On 30 October 2019, the syllabus content was defined as follows:

### C

#### CIVIL PRACTICE I (CIT100T)

1 X 3-HOUR PAPER

*(Subject custodian: Department of Law)*

National Credit Act, 2005 (Act No. 34 of 2005). Different courts and their jurisdiction. Functions of the Clerk of the Court and the Sheriff. Debt collection Process (undefended matters). Students learn to complete all the relevant documents/pleadings. Abandonment of part of a claim. Amendment of summons before and after service. Prescription of debts. Edictal citation. The theory and drafting of pleadings in defended matters from Notice to Defend till the trial. Motion court proceedings. Function and duties of tax master. Draft bills of cost on all scales. (Total tuition time: ± 92 hours)

#### COMPUTING FOR LEGAL ASSISTANTS I (CLS101T)

CONTINUOUS ASSESSMENT

*(Subject custodian: End User Computing Unit)*

Students have to acquire theoretical knowledge (computing fundamentals) and practical skills as end-users in operating systems and MS Office Suite applications (MS Word, MS Excel and MS PowerPoint) on an introductory level. Students will do online and computer-based tests. The modules are mapped with SAQA and IC3 Essential Skills for Digital Literacy (international certification). (Total tuition time: ± 40 hours)



**D****DELICTS AND MOTOR VEHICLE ACCIDENTS I (DMV101T)****1 X 3-HOUR PAPER****(Subject custodian: Department of Law)**

Introduction to law of delict. Elements constituting a delict and possible defences. Delictual remedies. Liability without fault. Introduction to motor vehicle accidents. Application of the Road Accident Fund Act, 1996 (Act No. 56 of 1996) (including the Amendment Act, 2005 (Act No. 19 of 2005)) to motor vehicle accident claims. The Road Accident Fund's liability. Preparation and submission of claims to the Road Accident Fund. Hit and run claims. Road Accident Benefit Scheme. (Total tuition time: ± 42 hours)

**DISPUTE RESOLUTION I (DRS101T)****1 X 3-HOUR PAPER****(Subject custodian: Department of Law)**

Introduction to dispute resolution in South Africa. Different types of disputes, comparison between different dispute resolution structures, conciliation process, arbitration process, facilitation, awards and their effects, enforcement of awards, settlement agreements and the drafting thereof, dispute resolution under the Labour Relations Act, 1995 (Act No. 66 of 1995), and under the Arbitration Act, 1965 (Act No. 62 of 1965). (Total tuition time: ± 42 hours)

**L****LABOUR LAW I (LLA110T)****1 X 3-HOUR PAPER****(Subject custodian: Department of Law)**

Sources of law. The common law contract of employment. Basic Conditions of Employment Act, 1997 (Act No. 75 of 1999). Skills Development Act, 1998 (Act No. 97 of 1998), Unemployment Insurance Act, 2001 (Act No. 63 of 2001), Employment Equity Act, 1998 (Act No. 55 of 1998), Protected Disclosures Act, 2000 (Act No. 26 of 2000), Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993), Unfair dismissals, unfair labour practice, temporary employment services, transfer of contract of employment, forms of industrial action, labour relations in the public sector, collective bargaining. (Total tuition time: ± 92 hours)

**LANGUAGE AND LIFE SKILLS (LLS100T)****1 X 3-HOUR PAPER****(Subject custodian: Department of Applied Languages)**

English usage. Concepts in communication. Perception and communication. Reading and writing skills. Effective speaking and listening skills. Interviewing. Writing skills. Concise communication (telephone usage, fax usage, memos). Reports and statements. Business correspondence. (Total tuition time: ± 30 hours)

**LEGAL PRACTICE FOR PARALEGALS IA (LGP10AT)****1 X 3-HOUR PAPER****(Subject custodian: Department of Law)**

The legal profession, attorney's office, communication and correspondence, trust and business bank accounts, South African judiciary, civil court documents and procedure, debt collections (an overview), solvent and deceased estates (an overview) conveyancing (an overview), legal instruments and notarial documents. (Total tuition time: ± 46 hours)

**LEGAL PRACTICE FOR PARALEGALS IB (LGP10BT)****1 X 3-HOUR PAPER****(Subject custodian: Department of Law)**

The Attorneys Act, 1979 (Act No. 53 of 1979) and other requirements (an overview). Financial transactions and trust and business account concepts. Entering of the following transactions in the cash books, ledgers and journals: cash transactions, fees and disbursements, goods on credit, bail applications, section 78(2A) investments, transfer of funds from clients' trust accounts to clients' business accounts, collection commission and allowances to correspondents. Balancing of cash books and ledgers. (Total tuition time: ± 46 hours)

**LEGAL PRACTICE FOR PARALEGALS IIA (LGP20AT)****1 X 3-HOUR PAPER (OPEN BOOK)****(Subject custodian: Department of Law)**

Introduction to conveyancing. Parties involved in preparing and registering deeds. The procedure for registering deeds. The drawing/completion of the following transfer documents: deeds cover, pro rata statement of account to purchaser, final statements of account to purchaser and seller. General power of attorney to transfer. (Total tuition time: ± 46 hours)



**LEGAL PRACTICE FOR PARALEGALS IIB (LGP20BT)****1 X 3-HOUR PAPER (OPEN BOOK)****(Subject custodian: Department of Law)**

The general transfer. Estate transfers. Subdivision and partitioning of land. Mortgage bonds. Substituted title deeds. Sectional title deeds. The drawing/completion of the following transfer documents: Deed of transfer, section 45(1) applications, mortgage bonds, consent to cancel mortgage bonds. (Total tuition time: ± 46 hours)

**LEGAL PRACTICE FOR PARALEGALS IIIA (LGP30AT)****1 X 3-HOUR PAPER****(Subject custodian: Department of Law)**

Property law, constitutional property law, ownership, possession and ownership. (Total tuition time: ± 46 hours)

**LEGAL PRACTICE FOR PARALEGALS IIIB (LGP30BT)****1 X 3-HOUR PAPER****(Subject custodian: Department of Law)**

Testate and Intestate succession. Administration of a deceased estate. Duties of executor. Liquidation and distribution account. (Total tuition time: ± 46 hours)

**LEGAL RESEARCH AND WRITING I (LRW101T)****CONTINUOUS ASSESSMENT****(Subject custodian: Department of Law)**

Generic research competencies including research methodology, legal research, computer research skills and computer literacy. Topic selection and writing of a research project is required. (Total tuition time: ± 46 hours)

**M****MERCANTILE LAW FOR PARALEGALS IA (MCL10AT)****1 X 3-HOUR PAPER****(Subject custodian: Department of Law)**

Introduction to the South African Legal system. General principles of law of contracts e.g. void, voidable and valid contracts. Consensus between parties to the contract, intention, contractual capacity, performance, lawfulness and formalities of contracts. Lastly the termination of a contract. (Total tuition time: ± 46 hours)

**MERCANTILE LAW FOR PARALEGALS IB (MCL10BT)****1 X 3-HOUR PAPER****(Subject custodian: Department of Law)**

Specific contracts: contract of sale, agency, surety and lease agreement, insurance contracts, employment contract, specific commercial transactions. National Credit Act, 2005 (Act No. 34 of 2005) and Consumer Protection Act, 2014 (Act No. 19 of 2014). (Total tuition time: ± 46 hours)

**MERCANTILE LAW FOR PARALEGALS IIA (MCL20AT)****1 X 3-HOUR PAPER****(Subject custodian: Department of Law)**

General principles of company law. Corporate governance and the King Report. Introduction and forms of business undertakings. Registration of business and other formalities. Legal personality of a company. Types of companies. Company groupings. Capacity and representation of companies. Pre-incorporation contracts. Transparency, accountability and integrity of companies. General meetings and company meetings. Company directors. Share capital. Shares, shareholdership and membership. The offer and the transfer of shares. Capitalisation of profit companies. Re-organisation, arrangements, mergers, amalgamation and take-overs. Company auditors. Business rescue in companies. Remedies and enforcement in companies. Regulatory agencies. Winding-up, dissolution and deregistration of companies. (Total tuition time: ± 46 hours)

**MERCANTILE LAW FOR PARALEGALS IIB (MCL20BT)****1 X 3-HOUR PAPER****(Subject custodian: Department of Law)**

General features of partnerships. The legal nature of a partnership. Partnership as a business form. Internal relations in partnerships. External relations in partnerships. Dissolution of partnerships. The formation and conversions of close corporations. The close corporation's membership and member's interest. Internal and external relations of close corporations. The personal liability of members for the debts of the corporation. Winding-up of close corporations. Introduction to trusts and business trusts. (Total tuition time: ± 46 hours)



**MERCANTILE LAW FOR PARALEGALS III (MCL300T)****1 X 3-HOUR PAPER****(Subject custodian: Department of Law)**

General Principles of taxation, meaning of gross income, calculation of normal tax payable by individuals/personal income tax, factors used to determine whether amount is of income or capital, general deduction formula, taxation of retirement benefits, deduction of contributions to retirement funds, capital gains tax, estate duty, transfer duty, donations tax, VAT, small business tax, deductions. Law of insolvency, acts of insolvency, voluntary and compulsory surrender, effects of insolvency, impeachable dispositions, duties of the insolvent, duties of the trustees, insolvent partnerships, composition and rehabilitations, realisation and distribution of insolvent estates, liquidation of companies, the Bill of Rights and Insolvency, insolvency ethics, cross-border insolvencies. (Total tuition time: ± 92 hours)

**P****PRACTICAL CRIMINAL LAW FOR PARALEGALS I (PCL110T)****1 X 3-HOUR PAPER****(Subject custodian: Department of Law)**

General Principles of criminal law, a detailed study of the elements of crime, general principles of specific crimes, criminal law in the context of the Bill of Rights. (Total tuition time: ± 92 hours)

**PRACTICAL LAW: PROCEDURE IA (PLP10AT)****1 X 3-HOUR PAPER****(Subject custodian: Department of Law)**

Rights of the accused, constitutional criminal procedure, a right to legal assistance, bail, procedure for lawful arrest, conduct of trial, appeal and review, prosecution of crime. (Total tuition time: ± 46 hours)

**PRACTICAL LAW: PROCEDURE IB (PLP10BT)****1 X 3-HOUR PAPER****(Subject custodian: Department of Law)**

Law of evidence, types of evidence, admissible and inadmissible evidence, confession and admission, evidence and the Bill of Rights. (Total tuition time: ± 46 hours)

**PRACTICAL PRIVATE LAW FOR PARALEGALS IA (PRW10AT)****1 X 3-HOUR PAPER****(Subject custodian: Department of Law)**

LAW OF PERSONS: defining words and legal concepts. The beginning of legal personality (including the nasciturus fiction). How minority affects status and capacity. The effect of sex and gender on status and capacity. The effect of mental illness, intoxication, prodigality, insolvency and physical disability on status and capacity. Domicile. The end of legal personality. Law and the dead. (Total tuition time: ± 46 hours)

**PRACTICAL PRIVATE LAW FOR PARALEGALS IB (PRW10BT)****1 X 3-HOUR PAPER****(Subject custodian: Department of Law)**

FAMILY LAW: Family Law in the 21st century in South Africa. Rights and interests of the child. Parental responsibilities and rights. Adoption, artificial fertilisation and surrogate motherhood. Engagements. Civil marriages. Void, voidable and putative marriages. Personal consequences of civil marriage. Marital property. Dissolution of civil marriages. Grounds for divorce. Economic consequences of divorce. The position of the children after the divorce. Customary marriages. Religious marriages. Civil Union Act, 2006 (Act No. 17 of 2006). Domestic Partnerships. Domestic Violence. (Total tuition time: ± 46 hours)

**S****SMALL BUSINESS MANAGEMENT I (SMB111T)****1 X 3-HOUR PAPER****(Subject custodian: Department of Law)**

*Introduction to entrepreneurship and small business management: business environment, steps in starting and managing your own business by writing a business plan (idea generation, viability and feasibility of business idea, marketing, operations, human resource and financial management).* (Total tuition time: ± 46 hours)

**W****WELFARE LAW I (WFL101T)****1 X 3-HOUR PAPER****(Subject custodian: Department of Law)**

A detailed analysis of the South African Bill of Rights. International Human Rights law. Human values. Fundamental human rights. Rights of children and the elderly. Relevant government schemes, such as housing. Rights of disabled persons. (Total tuition time: ± 46 hours)



**WORK-INTEGRATED LEARNING (EXP1LAS/R)**

***(Subject custodian: Department of Law)***

Aimed at the following aspects: technical knowledge, skills, intellectual skills, communication skills, individual skills and management skills. The objective is to give the student an opportunity to apply theoretical knowledge in practice in the work environment. (Total tuition time: three months for day class students or six months for evening-class students)

**WORK-INTEGRATED LEARNING**