



Undergraduate programmes

Syllabus

Business Law 1

Module Code: BL101
Credits: 20
IMM GSM: Year Level: 1
NQF Level: 6
Nature: Core
Status: Undergraduate

Module Specific Outcome/s

Understand and apply broad legal knowledge to marketing management situations.

Description Units

Module	Description	Learning Outcomes
1	Introduction	<p>Understand the meaning of the term "law".</p> <p>Identify the sources of South African law.</p> <p>Understand the court structure and the relationship between the various courts in South Africa.</p> <p>Understand the doctrine of stare decisis, with specific reference to the difference between the ratio decidendi and obiter dicta.</p> <p>Understand the classification of public and private law, and where business (commercial) law fits into this classification.</p> <p>Identify the two categories of persons (natural versus juristic).</p> <p>Differentiate between a legal subject and a legal object.</p> <p>Differentiate between ownership and possession.</p> <p>Identify the original and derivative methods of acquiring ownership.</p> <p>Differentiate between the protection of ownership and possession, including the implications of such protection on the warranty against eviction in the contract of sale.</p> <p>Identify the elements of delictual liability (including liability for pure economic loss).</p> <p>Explain the various delictual remedies.</p> <p>Identify the elements of liability for unjustified enrichment.</p>
2	Contracts	<p>Understand the basic principles relating to the conclusion of a valid contract .</p> <p>Understand the distinction between void and voidable contracts.</p> <p>Identify the various ways in which a contract can terminate.</p> <p>Identify the various forms of breach of contract.</p> <p>Understand the remedies available for breach of contract.</p>
3	Corporations	<p>Differentiate between the different types of business enterprises (including companies, co-operatives, partnerships and trading trusts).</p> <p>Identify the different types of companies.</p>
4	Intellectual property	<p>Understand how intellectual property (copyright, designs, patents and trademarks) is applicable to marketing.</p> <p>Identify the requirements that an invention should satisfy in order to be patentable under the Patents Act.</p> <p>List the types of works eligible for copyright protection.</p> <p>Understand the distinction between authorship and the ownership of copyright.</p> <p>Identify the economic and moral rights of an author.</p> <p>Identify the common-law and statutory requirements for copyright protection.</p> <p>Explain the difference between direct and indirect infringement of copyright.</p> <p>Give an indication of which marks can and which marks cannot be registered as trademarks under the Trade Marks Act.</p> <p>Understand the acts by which a registered trade mark can be infringed.</p> <p>Understand the protection of well-known trademarks.</p> <p>Understand, in brief, the significance and main provisions of the Merchandise Marks Act.</p> <p>Identify the types of design which may be registered in terms of the Designs Act, and the requirements for the validity of each type of design registration.</p> <p>Understand, in brief, the significance and main provisions of the Counterfeit Goods Act.</p> <p>Understand, in brief, the significance and main provisions of the Business Names Act.</p> <p>Understand the remedies available in the event of the infringement of statutory intellectual property rights.</p>
5	Competition	<p>Identify the forms of unlawful competition in terms of the common law, and the</p>

		<p>elements of liability. Understand the structure and powers of the competition authorities under the Competition Act. Discuss the types of restrictive practice prohibited by the Competition A.ct</p>
6	Consumer protection	<p>Understand, in brief, the protection of consumers in terms of Chapter VII of the Electronic Communications and Transactions Act. Understand, in brief, the purpose and main provisions of the Second-Hand Goods Act. List the types of second-goods regulated by the Second-Hand Goods Act. Understand, in brief, the purpose and main provisions of the Sale and Service Matters Act. Understand, in brief, the protection of consumers in terms of the Consumer Credit Act with special reference to protection against over indebtedness and plain language contracts. List the types of goods regulated by the Sale and Service Matters Act. Understand, in brief, the protection of purchasers of houses in terms of the Housing Consumers Protection Measures Act. Understand, in brief, the purpose and main provisions of the Consumer Affairs (Unfair Business Practices) Act. Understand the powers of the Consumer Affairs Committee.</p>
7	Internet	<p>Understand what is meant by the terms “cybersquatter”, “domain name”, “framing”, “hyperlink”, “metatag” and “spam”. Discuss the administration of domain names in terms of Chapter X of the Electronic Communications and Transactions Act. Understand in brief, the copyright and trade mark implications of activities on the Internet. Understand the limitation of the liability of service providers in terms of Chapter XI of the Electronic Communications and Transactions Act. Understand the appointment and powers of cyber inspectors in terms of the Electronic Communications and Transactions Act. Understand, in brief, the principles relating to the use by employees of their employers’ e-mail and Internet facilities. Understand the relevance of the right to privacy and how this right is affected by activities on the Internet.</p>
8	Labour law	<p>Describe the basic principles relating to the conclusion of the employment contract, with special reference to the Basic Conditions of Employment Act Understand vicarious liability. Understand the basic principles relating to affirmative action, with special reference to the Employment Equity Act. Understand the basic principles relating to unfair dismissal in terms of the Labour Relations Act. Understand the mechanism of collective bargaining in terms of the Labour Relations Act. Understand the mechanism for the resolution of labour disputes in terms of the Labour Relations Act.</p>