UNIVERSITY OF FORT HARE

Introduction to Law Foundation
LPI 112 L

DEGREE EXAMINATIONS

NOVEMBER

2019

Time: 3 HOURS

Subject: Introduction to Law Foundation LPI 112 L

Marks: 100

This paper consists of 3 pages including the cover page

Internal Examiners

Mr A Katurura / Mr U Peteni

Adv V Booysen

INSTRUCTIONS

1. Answer ALL Questions!
2. It is in your best interest to write clearly and legibly.
3. Rely on relevant case law and statutory provisions to justify your answers.
QUESTION ONE

1.1 Name and discuss the classifications/ branches of our South African law. After naming, discuss and give examples of each. (15)

1.2 Identify and give three examples of the three generations right of human rights. (6)

1.3 How important is the Bill of Rights for the law in South Africa? Explain (4)

(25)

QUESTION TWO

2.1 To determine whether conduct constitutes discrimination, one must objectively determine whether the ground upon which people or categories of people are differentiated between has the potential to impair the fundamental human dignity of the persons or to affect them adversely in a comparably serious manner. In reference to the concept of equality, when will treating people differently amount to discrimination and when will this discrimination be unfair? Refer to Harksen v Lane NO 1998 (1) SA 300 (CC) and mention the test set out in this case. (20)

2.2 What are the sources of administrative law? (5)

(25)

QUESTION THREE
3.1 Define judicial review and differentiate it from Appeal. (10)

3.2 Identify four different forms of business enterprise. Provide a brief explanation of each business enterprise. (20)

3.3 Do all contracts have to be in writing in order to be valid? Explain. (35)

QUESTION FOUR

4.1 When is a person said to be insolvent? (5)

4.2 What are the consequences of insolvency? (5)

4.3 List 5 common instruments of Payment currently in use in South Africa. (15)

TOTAL: 100

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