

Syllabus outline Principles of Business Law

NQF Level 6

Prescribed text: General Principles of Commercial Law. Latest Edition¹

Authors: Schulze et al.

Publisher: Juta

Disclaimer: Please note the following:

- A prescribed textbook may not necessarily cover every aspect of a syllabus. The Institute examines the syllabus and any omissions should be researched personally or be provided by your tuition provider.
- ISBN numbers may have changed since the publication of this list. Our policy is that you should always use the latest edition of the textbook.
- Many publishers are no longer publishing hard copies and have switched to e-books.
- Some modules require prescribed readings which can be downloaded for personal use from the internet or the CSSA student portal.

The overall aim of the module is to demonstrate an in-depth understanding of the law relating to a range of contracts.

Syllabus topics	Syllabus detailed content	Textbook
Learning Outcome 1: Demonstrate a knowledge of the nature and classification of the law which affect business relationships together with the means by which law is enforced through the judicial system.		
Legal terms General principles of law	<ul style="list-style-type: none"> • “Law,” “right,” “subjective right” • The difference between legal subjects and objects • Law of persons, family law, law of personality, the law of property, methods of acquiring ownership, possession • The law of delict 	Chapter 1, 2
Learning Outcome 2: Demonstrate an understanding of the law of contracts.		
<ul style="list-style-type: none"> • Introduction to the law of contract • The formation of a contract • Principles and rules concerning valid and binding contracts 	<ul style="list-style-type: none"> • The basic requirements for the formation of a contract <ul style="list-style-type: none"> ○ the constituting elements of a contract ○ consensus ○ capacity to perform juristic acts: minors, marriage, mental deficiency ○ requirements regarding possibility as an essential for the formation of a contract ○ formalities required for the formation of a contract ○ terms of a contract, specific clauses and the effects thereof ○ principles of the interpretation of contracts ○ the parol evidence rule and the circumstances under which a contract can be rectified 	Ch 3, 4, 5, 6, 7, 8,9
Learning Outcome 3: Demonstrate an understanding of the termination of contracts		
<ul style="list-style-type: none"> • Breach of contract; remedies on the grounds of breach of contract • The transfer and termination of obligations 	<ul style="list-style-type: none"> • Different forms of breach of and the consequences thereof • Remedies for breach of contract and the requirements of those remedies • Transfer and termination of personal rights • Termination of obligations 	Ch 10, 11, 12
Learning Outcome 4: Demonstrate a working knowledge of specific types of contracts		
<ul style="list-style-type: none"> • Contracts for purchase and sale 	<ul style="list-style-type: none"> • Contract of purchase and sale 	Ch 13

¹ Also prescribed for Advanced Business Law

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<ul style="list-style-type: none"> • Lease • Restraint of trade 	<ul style="list-style-type: none"> ○ Formation of contract of sale ○ The rights and duties of the parties, when and how ownership is passed and the common law and legislative protection of purchasers ○ The principles relating to latent defects ○ The liability of manufacturers and expert dealers ○ Passing of risk. ○ Termination: specific requirements for a contract of sale 	
	<ul style="list-style-type: none"> • Contract of lease <ul style="list-style-type: none"> ○ The formation and termination of a contract of lease; the common law and statutory protection of lessees. ○ <i>Essentialia</i> of a contract of lease ○ Duties of parties 	Ch 14
Learning Outcome 5: Demonstrate a working knowledge of insurance law.		
Law of insurance	<ul style="list-style-type: none"> • Insurance contracts <ul style="list-style-type: none"> ○ Indemnity and non-indemnity insurance ○ Formation of contract ○ The premium ○ The risk ○ Insurable interest ○ Non-disclosure ○ Misrepresentation ○ Warranties and conditions ○ Construction of policy ○ Assignment and transfer. <p>(Note: marine contracts excluded)</p>	Ch 15
Learning Outcome 6: Demonstrate a working knowledge of the law relating to credit agreements.		
Credit Agreements	<ul style="list-style-type: none"> • Credit Agreements Act 	Ch 16

Practical work

Use standardised contract templates and adapt them for a variety of contexts

Online resources

Mistake: <https://youtu.be/N3tGkJp-vGI>; <https://youtu.be/rFMLQOqV2d4>; <https://youtu.be/KBrUqfwhdfM>;
 Illegal contracts: <https://youtu.be/wlocZn1I56w>; <https://youtu.be/H8utc0Z41CE>; <https://youtu.be/ThXbAor8Kic>
 Misrepresentation: <https://youtu.be/krPOQuIT8dw>; <https://youtu.be/dccxGTbzY1A>; <https://youtu.be/YVQo18OB6rY>; <https://youtu.be/8yA4fvVnUDw>
 Consideration: <https://youtu.be/rPEfv9HBIEw>