



HERBERT CHITEPO LAW SCHOOL

ACADEMIC GUIDELINES FOR DEGREE AND DIPLOMA PROGRAMMES

KNOWLEDGE CULTURE DEVELOPMENT

2014-2018

ACADEMIC GUIDELINES

FOR PROGRAMMES OFFERED IN THE HERBERT CHITEPO LAW SCHOOL

These Academic Guidelines are as far as possible accurate and up-to-date at the time of going to print. However, it should be noted that not all programmes or modules described herein will necessarily be on offer each year and that more programmes and modules will be added from time to time.

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UNIVERSITY MISSION STATEMENT

VISION

To be the centre of excellence in arts, culture and heritage studies as well as the advancement of other academic disciplines for the promotion of the development of society.

MISSION

In order to support the vision, we shall:

- a. Reclaim and preserve our African culture and heritage;
- b. Mainstream culture and heritage in our teaching and research;
- c. Lead in the development of entrepreneurs and professionals in the creative industry;
- d. Provide our stakeholders with an enabling environment for research and empower them with entrepreneurial skills;
- e. Produce versatile graduates equipped with skills and competencies relevant to the needs of society;
- f. Attract and retain highly competent staff,
- g. Use ICT-based solutions in teaching, learning, research, administration and innovation, and;
- h. Uplift communities we serve through our involvement in their development.

VALUES

GZU has adopted the following principles and standards of behaviour to define the University's culture and ensure a conducive work environment for the attainment of the Vision and Mission:

- Unhu/Ubuntu
- Excellence
- Integrity
- Results Focus
- Quality

ACADEMIC, SENIOR ADMINISTRATIVE AND TECHNICAL STAFF

Dean

Nkiwane V. Master of Laws [Uni of Warwick], Bachelor of Law Hons [UZ], PGD (Women's Law) [UZ]

Senior Lecturer

Moyo A. DPhil [UCT], Master of Law [UCT], Bachelor of Laws [Uni of Fort Hare]

Lecturers

Ruombwa V. Master of Laws [UZ], Bachelor of Laws [UZ]

Sibanda S. Master of Laws [Uni. of Fort Hare], Bachelor of Laws [Uni of Fort Hare]

Administrative Assistant

Kanganisai T.B. BComHons. (Business Mgt.) [MSU]



SCHOOL REGULATIONS FOR UNDERGRADUATE DEGREE PROGRAMMES

1. PREAMBLE

- 1.1 These regulations should be read in conjunction with the General Academic Regulations for Undergraduate Degrees and Diplomas, hereinafter referred to as the General Regulations.
- 1.2 Senate has the prerogative to change, cancel or replace any of these regulations.
- 1.3 The LLB Honours Degree shall be awarded to a candidate who has successfully completed an approved programme of study in accordance with these regulations.
- 1.4 A student who has started a programme following one set of regulations shall not be affected by regulations adopted subsequently unless agreed to in writing by the student.
- 1.5 Senate has the authority to exempt a student from any of these regulations.

2. DEFINITION OF TERMS

- 2.1 **CREDIT POINTS** means a measure of the volume of learning required for a qualification, quantified as a number of notional study hours.
- 2.2 **DISSERTATION** – means a work involving personal research that is capable of being recorded, written under supervision and capable of being evaluated that is submitted for a degree and satisfies degree specific requirements.
- 2.3 **ELECTIVE MODULE** – means a module that a student selects according to preference from a specified list of elective modules, subject to the condition that the availability of any elective module in any one semester is determined by the availability of lecturers and student interest. An elective module shall not normally be offered if there are less than eight (8) students who have prescribed for it.
- 2.4 **EXTERNAL EXAMINATION** - means examination by a person external to the University who has not been involved in teaching at the University in the last two years.
- 2.5 **FORMAL EXAMINATION** - For the purposes of these regulations formal examination shall mean a written examination, usually of specified duration and written under the regulations or rules for end of semester examinations at Great Zimbabwe University.
- 2.6 **INDEPENDENT MODERATION** – means examination by a person internal or external to the University, who has not been involved in the teaching of the module in that semester.
- 2.7 **INTERNAL EXAMINATION** – means examination by a person or persons involved in the teaching of the relevant module in that semester.
- 2.8 **MODULE** – A module shall be defined as a separately examinable portion of a programme
- 2.9 **SEMESTER** – A semester which shall be determined and set out in the University calendar, shall normally, for the purposes of the LLB Honours Degree, comprise 15 weeks made up as follows: twelve weeks of teaching, one week with no formal teaching (reading week), one week for revision and one week for examination.

3. PROGRAMMES OFFERED BY THE SCHOOL

- 3.1 For programmes offered under the School of Law, refer to **Section 2.2.1.5** of the General Academic Regulations.
- 3.2 More degree programmes diploma, postgraduate diploma programmes shall be added from time to time.

4. ENTRY QUALIFICATIONS

4.1 Normal Entry

In addition to the General University requirements, a candidate must have three good “A” level passes and at least five “O” level passes including English Language with at least a B grade to be



admitted into the LLB (Hons) programme.

4.2 Mature Entry

A candidate must satisfy the General University requirements. A candidate must be at least 25 years of age and must not be eligible for normal or special entry. Not more than three places are reserved for mature entry applicants.

4.3 Special Entry

A candidate must hold a relevant qualification in the legal field or a qualification with a substantial legal content at Diploma level and must have five “O” level subjects including English Language. Preference shall be given to public servants such as magistrates and prosecutors in the Ministry of Justice, as well as police and army officers. Not more than five places shall be reserved for this group.

4.4 Special entry shall also be granted to a candidate who holds a good first degree from another discipline. A special programme shall be designed to enable such candidate to complete the degree in eight semesters. Not more than three places shall be reserved for special entry candidates.

4.5 Interview of Applicants

All shortlisted candidates shall be subjected to an interview and only those who pass the interview shall be admitted into the Law School.

4.6 Police Clearance

All applicants to the Law School must obtain a police clearance in order to be considered for admission into the LLB programme.

4.7 Recommendation from last High School

All school leaver applicants must submit a confidential letter of recommendation from the last high school attended in order to be considered for admission into the LLB programme. Applicants in the mature or special entry category must submit a confidential letter of recommendation from their immediate supervisor in order to be considered for admission. In the absence of such supervisor the letter may be obtained from a person deemed appropriate by the Law School.

5. STRUCTURE OF THE PROGRAMME

5.1 A programme shall run for at least ten (10) semesters.

5.2 A Bachelor of Laws Honours Degree shall consist of a minimum of 688 credits.

5.1.1 At Level I, a candidate shall register for a minimum of 136 credit points.

5.1.2 At Level II, a candidate shall register for at least 152 credit points.

5.1.3 At Level III, a candidate shall register for at least 160 credit points.

5.1.4 At Level IV, a candidate is required to spend a minimum of ten (10) months on work related learning experience (5 months Public Sector & 5 month Private Sector), which is equivalent to 80 credits.

5.1.5 At Level V, a student shall register for a minimum of 160 credit points.

5.3 A module in a programme shall be taught in thirty-six (36) to- forty-eight (48) contact hours per semester.

5.4 The structure allows students to do several elective modules thereby giving them choices in terms of what they want to do after graduation. It also allows us to cover what we consider to be core modules for purposes of admission into practice).

5.5 The following modules shall be compulsory for all degree programmes:



- Academic and Professional Communication
- Introduction to Research Methods and Statistics
- Introduction to Computers and computer Technologies.
- Introduction to Zimbabwean Cultures and Heritage
- African Philosophy and Thought
- Research project

6. ASSESSMENT

- 6.1 Normally, assessment of each module shall be based on continuous assessment as well as formal examinations. Continuous assessment shall contribute 30% and the end of semester examination shall contribute 70% of the final mark.
- 6.2 Each Department shall determine components of continuous assessment that will be considered for the final continuous assessment mark.

7. WORK RELATED LEARNING

- 7.1 No student shall be allowed to graduate unless he/she has undertaken and passed a work related programme (attachment).
- 7.2 During level four (4) a student shall be required to undertake a work related programme for the duration of 10 months.
- 7.3 The work related programme shall be undertaken at magistrates Courts, High Court, Law Offices, Legal Aid Offices, Legal Practitioners' Chambers and NGOs approved by the School.
- 7.4 A student may prior to the commencement of the work related programme identify and inform the Dean at which office he/she prefers to undertake the work related programme.
- 7.5 The assessment of the work related programme shall be based on the following criteria:
- (a) A report submitted by the candidate detailing his experience during the period of attachment;
 - (b) An assessment of the candidate by the immediate supervisor (Magistrate, Prosecutor, Judge or Legal Practitioner), where the student was attached;
 - (c) An assessment of the candidate by a member of the School.
- 7.6 The assessment of the work related programme shall be on a pass or fail basis.

8. PROVISIONS FOR PROGRESSION

- 8.1 A student may proceed to Level 3 repeating modules to the value of up to 32 credits from Level 2.
- 8.2 A student may not proceed to Level 3 until he/she has successfully completed all core modules in Level 1.
- 8.3 A student may only proceed to Level 4 after successfully passing Levels 1, 2 and 3.
- 8.4 No student shall be permitted to proceed from Level 4 to Level 5 until he/she has successfully completed the attachment/work related programme.

9. FAILURE TO SATISFY EXAMINERS

Refer to Section 9 of the General Academic Regulations.

10. AWARD OF A DEGREE

To be awarded a degree, a candidate must have attained a minimum of 688 credit points.

11. DEGREE CLASSIFICATION AND WEIGHTING

- 11.1 For the award of the LLB honours degree the marks obtained in all levels of the Programme shall be taken into account.

11.2 For degree classification, refer to **Section 5** of the General Academic Regulations.

REGULATIONS FOR BACHELOR OF LAWS HONOURS DEGREE

1. PREAMBLE

These regulations should be read in conjunction with the School Regulations and General Academic Regulations for Undergraduate Degrees and Diplomas Programmes, which have precedence over Departmental Regulations.

2. GENERAL DESCRIPTION OF THE PROGRAMME

The Bachelor of Laws is a five year degree designed to train future lawyers rigorously in the principles of law and their practical application in different situations in society. The programme is designed to equip law graduates with the necessary tools for critical thinking, analytical reasoning and interpretative skills that will enable them to apply legal principles in different situations. Students must understand and appreciate that the practice of law is founded on integrity, hard work and accountability.

3. OBJECTIVES

The Bachelor of Laws degree programme strives to achieve the following:

- 3.1 To prepare law graduates to contribute to national and international legal, social, economic and political development.
- 3.2 To develop an understanding of legal principles and the role of law in society and in particular, economic development.
- 3.3 To produce graduates who have an understanding of the relationship between law, professional ethics, and justice and the importance of the rule of law in a democracy.
- 3.4 To produce lawyers who will serve competently in industry and commerce, the courts, government, civil society, academic and international institutions.
- 3.5 To produce lawyers who understand the values of social justice, integrity, community service and commitment to continuous improvement in the practice of law.
- 3.6 To produce lawyers who understand the values of human dignity, the achievement of equality and the advancement of human rights and freedoms.
- 3.7 To produce lawyers who understand the need to eliminate all forms of discrimination in society, be it on the grounds of ethnicity, tribe, place of origin, race, gender, nationality, class, religion, culture and disability, including the additional grounds stipulated in the Constitution of Zimbabwe.
- 3.8 To produce lawyers who understand the significance of culture, tradition and social context in interpreting and applying the law of Zimbabwe.

4. CAREER PROSPECTS

Graduates from the School of Law can be employed as Legal Practitioners, Magistrates, Prosecutors, Legal Advisors in private companies, Company Secretaries, government departments, NGOs, International Institutions and as academics.

5. ENTRY REQUIREMENTS

5.1 Normal Entry

Refer to Section 4.1 of the School Regulations.

5.2 Special Entry

Refer to Section 4.2 of the School Regulations.

5.3 Mature Entry

Refer to Section 4.3 of the School Regulations.

6.0 STRUCTURE OF THE PROGRAMME



6.1 Duration

Refer to Section 5.1 of the School Regulations.

6.2 Degree Structure

Refer to Section 5.2 of the School Regulations.

6.2.1 Work Related Learning

Refer to Section 7 of the School Regulations.

6.3 MODULES**LEVEL I SEMESTER 1**

Each student shall be required to take modules up to 64 credit points

BHS110	Introduction to Zimbabwean Culture and Heritage	(16 credits)
HAPC 101	Academic and Professional Communication	(8 credits)
ICCT100	Introduction to Computers and Computer Technologies	(8 credits)
LLB101	Introduction to Law	(16 credits)
LLB102	Foundations of Zimbabwean Law	(16 credits)

LEVEL I SEMESTER II

Each student shall be required to take modules up to 72 credit points

LLB103	Legal Research, Writing and Reasoning	(8 credits)
LLB104	Interpretation of Law	(16 credits)
LLB105	Criminal Law	(16 credits)
EITHER	BHS101 Introduction to Zimbabwean History	(16 credits)
OR	BAC101 African Philosophy and Thought	(16 credits)
LLB106	Customary Law	(16 credits)

LEVEL II SEMESTER I

Each student shall be required to take modules up to 80 credit points

LLB201	Family Law	(16 credits)
LLB202	Constitutional Law	(16 credits)
LLB203	Law of Contract	(16 credits)
LLB204	Law of Delict	(16 credits)
LLB205	Criminal Procedure	(16 credits)

LEVEL II SEMESTER II

Each student shall be required to take modules up to 72 credit points

LLB206	Evidence	(16 credits)
LLB207	Civil Procedure I (Lower Courts)	(8 credits)
LLB208	Gender; HIV/AIDS and the Law	(16 credits)
LLB209	Public International Law	(16 credits)
LLB210	Human Rights and International Humanitarian Law	(16 credits)

LEVEL III SEMESTER I

Each student shall be required to take modules up to 80 credit points

LLB302	Property Law	(16 credits)
LLB303	Law of Succession and Administration of Estates	(16 credits)
LLB304	Commercial Law	(16 credits)
LLB305	Clinical Legal Education I	(8 credits)
LLB310	Civil Procedure II (Superior Courts)	(16 credits)
RMS101	Introduction to Research Methods and Statistics	(8 credits)

LEVEL III SEMESTER II

Each student will be required to take up to 80 credit points.

LLB308	Accounting for Legal Practice	(16 credits)
LLB309	Legal Ethics and Professional Training	(16 credits)
LLB502	Jurisprudence	(16 credits)
Electives to the value of 32 credits		

LEVEL IV SEMESTER I & II

LLB401	Work Related Learning 10 months (5 months Public Sector & 5 months Private Sector)	(80 credits)
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LEVEL V SEMESTER I

Each student shall be required to take modules up to 88 credit points

LLB501	Natural and Heritage Resources Law	(8 credits)
LLB504	Business Enterprises Law	(16 credits)
LLB301	Intellectual Property Law	(16 credits)
LLB306	Administrative and Local Government Law	(16 credits)

Electives to the value of 32 credit points

LEVEL V SEMESTER II

Each student shall be required to take modules up to 72 credit points

LLB503	Clinical Legal Education II	(8 credits)
LLB505	Dissertation	(32 credits)
LLB506	Law and Economic Development	(16 credits)
LLB307	Labour Law	(16 credits)

TOTAL CREDIT POINTS FOR THE DEGREE: 688

6.4 LIST OF ELECTIVES

NB The availability of any optional module in any one semester is determined by the availability of lecturers and student interest. An elective module will not normally be offered if there are less than 8 students who have prescribed for the module.

LLB001	Housing Law	(8 credits)
LLB002	Alternative Dispute Resolution	(8 credits)
LLB003	Environmental Law and Policy	(16 credits)
LLB004	Law of Banking and Negotiable Instruments	(16 credits)
LLB005	Mining and Energy Law	(16 credits)
LLB006	International Trade Law	(16 credits)
LLB007	Social Security Law	(8 credits)
LLB008	Media and Communications Law	(16 credits)
LLB009	Criminology and Penology	(16 credits)
LLB010	Law of International Organisations	(16 credits)
LLB011	Income Tax Law and Estate Planning	(16 credits)
LLB012	Forensic Medicine and Medical Law	(16 credits)
LLB013	Access to Justice in Zimbabwe	(8 credits)
LLB014	Children and the Law	(8 credits)
LLB015	International Criminal Law	(16 credits)
LLB016	Sports and Entertainment Law	(16 credits)
LLB017	Conveyancing	(16 credits)
LLB018	Electoral Law and Processes in Zimbabwe	(8 credits)



LLB019 Notarial Practice

(8 credits)

PRE-REQUISITES

LLB101 Introduction to Law is a pre-requisite for the following module

LLB207 & LLB310 Civil Procedure I (Inferior Courts) and Civil Procedure II (Superior Courts)

LLB105 Criminal Law is a pre-requisite for the following modules

LLB205 Criminal Procedure

LLB206 Evidence

LLB010 Criminology and Penology

LLB015 International Criminal Law

LLB203 Family Law is a pre-requisite for the following module

LLB014 Children and the Law

LLB202 Constitutional Law is a pre-requisite for the following modules

LLB404 Administrative and Local Government Law

LLB210 Human Rights and Humanitarian Law

LLB205 Criminal Procedure is a pre-requisite for the following module

LLB015 International Criminal Law

LLB207 Civil Procedure I (Inferior Courts) is a pre-requisite for the following module

LLB310 Civil Procedure II (Superior Courts)

LLB207 & LLB310 Civil Procedure I (Inferior Courts) and Civil Procedure II (Superior Courts) are pre-requisites for the following module

LLB505 Professional Training

LLB209 Public International Law is a pre-requisite for the following modules

LLB006 International Trade Law

LLB010 Law of International Organisations

LLB302 Property Law is a pre-requisite for the following modules

LLB017 Conveyancing

LLB001 Housing Law

LLB308 Labour Law is a pre-requisite for the following modules

LLB002 Alternative Dispute Resolution

LLB007 Social Security Law

LLB502 Jurisprudence is a pre-requisite for the following modules

LLB503 Dissertation

LLB504 Law and Economic Development

7. ASSESSMENT

Refer to Section 6 of the School Regulations.

8. PROVISIONS FOR PROGRESSION

Refer to Section 8 of the School Regulations.

9. DEGREE CLASSIFICATION AND WEIGHTING

Refer to Section 11 of the School Regulations.



MODULE SYNOPSES

LLB101 Introduction to Law

The meaning of the term law and its role in society; the distinction between law, morality, ethics and other forms of social control; the legal system of Zimbabwe; legal pluralism; selected legal philosophies; the different branches of law, in particular, the distinction between public, private and international law and the distinction between criminal and civil law; the structure and hierarchy of Zimbabwe's court system; tribunal and specialised courts; the application, trial and motion procedures; identifying the correct court and procedure; answering legal questions, in particular problem questions (introduction to IRAC).

LLB102 Foundations of Zimbabwean Law

Overview of the origins and development of Zimbabwean law and legal system, including indigenous law; history of Roman Dutch law and the influence of English law, focusing on ownership and possession; influence of other legal systems on our law; relationship between the common law, statute and precedent; the bill of rights in the Constitution.

LLB103 Legal Research, Writing and Reasoning

The process of legal research and legal writing ; introduction to the different forms and models of legal research; sources of law and categories of sources; topic analysis; different types of logical reasoning; analysing the components of judicial opinions; critical reasoning; the techniques of legal research using both print and online resources; approach to answering legal problems; footnoting and referencing; evaluating sources; legal writing; electronic and print sources; the ethics of legal research and writing.

LLB104 Interpretation of Law

Basic concepts and historical overview; nature and process of interpretation; theories of interpretation; different techniques of interpretation; aids to interpretation, internal and external aids; restrictive and extensive interpretation; the mischief rule; maxims and presumptions; the Interpretation Act; constitutional interpretation and selected case law.

LLB105 Criminal Law

PART A: Basic concepts of criminal liability; *mens rea* and *actus reus* legality; conduct; causation; unlawfulness; justification grounds of defence, private defence, necessity, consent, compulsion, impossibility; superior orders; official capacity; disciplinary chastisement; *de minimis non curat lex*, entrapment; criminal capacity, including insanity, age, provocation, intoxication, emotional stress; specific forms of *mens rea*: intention, negligence; exceptions to the *mens rea* requirement including, strict liability, vicarious liability, *versari in re illicita*; degrees of participation, including common purpose, perpetrators and co-perpetrators, accomplices and accessories after the fact.

PART B: Specific offences: to include: crimes against the person, crimes against property, crimes against morality, crimes against family life, crimes against freedom of movement; crimes against the administration of justice, crimes against the state, organised crime and money laundering.

LLB106 Customary Law

Historical overview of customary law; principles of African customary African law including family law, succession, delict, contract; property; impact of colonialism on customary and the imposition of colonial customary law and courts; internal conflict of laws; post-independence reform and the place of customary law in the current legal system; traditional court systems and applicable legislation; customary law and gender equality and equity.

LLB201 Family Law

PART A: Definition and history of the family; engagements and breach of promise; formation of marriage; cohabitation; personal and patrimonial consequences of marriage; dissolution of marriage and economic consequences of divorce; divorce and children (including custody, access, guardianship and maintenance);



domestic violence Part B: Law of Parent and Child: care and protection of children; children's rights; parental rights and responsibilities; paternity and factors affecting the status of a child; adoption; child protection; capacity of a child; domicile; trans-jurisdictional aspects (including child abduction); child abuse, child protection and alternative care.

LLB202 Constitutional Law

Fundamental concepts and theories of constitutional law, history of Zimbabwean constitution, from Southern Rhodesia to Zimbabwe; structure of Lancaster House constitution; electoral system, composition, powers, responsibilities and limits of legislatures; composition, powers, responsibilities and limits of the executive; the composition, powers, responsibilities of the judiciary; comparison of the Lancaster and current constitution in all aspects; analysis of selected constitutional cases; the bill of rights and selected institutions for the protection of human rights, comparative constitutional law (one or two constitutions to be selected from the region).

LLB203 Law of Contract

The nature, scope, history and theory of contracts; formation of contract; contents of a contract; interpretation of contracts; validity and invalidity (void and voidable contract, including illegality, mistake, misrepresentation, duress and undue influence); parties to a contract; plurality of parties; variation and discharge, termination of contracts, breach of contract; remedies for breach of contract.

LLB204 Law of Delict

Definition and nature of delict; theories of compensation; relationship between delict and other branches of the law, e.g, contract, criminal law; modern aquilian action and *action injuriarum* actions, defences; specific wrongs; assessment of damages; vicarious liability; joint wrongdoers; strict liability; apportionment of damages; liability for animals; product liability.

LLB205 Criminal Procedure

The importance of procedure in the criminal process; criminal trial and due process; courts and their jurisdiction; arrest; search and seizure; indictments and charges; summons and written notice; bail and statutory limits on bail; release on warning; preparation for trial; guilty and not guilty pleas; trial within a trial; conduct of the trial; victim friendly courts; identity parades; confessions; admissions; unlawfully obtained evidence; competent verdicts and options available at the close of the State case; reviews and appeals; punishment and sentencing; ethical issues in criminal procedure.

LLB206 Evidence

History of Zimbabwean law of evidence; nature and classification of evidence; theories of evidence; basic concepts of the law of evidence; admissibility and inadmissibility of evidence; judicial discretion not to admit admissible evidence; similar fact evidence; evidence of disposition; character and previous convictions; opinion evidence; privilege; estoppel; the rule against hearsay evidence in criminal cases and its exception in civil cases; the burden and standards of proof; corroboration; facts which need not be proved by evidence; judicial notice; formal admissions and presumptions; oral testimony; competence and compellability of witnesses; examination of witnesses; documentary evidence (including tape recordings, films cell phone records etc) public and private documents; proof of the content of public documents; proof of the contents and execution of private documents; admissibility of parole evidence affecting the contents of documents; the trial process; witnesses; the evaluation of evidence; evidence and the constitution; special trial procedures; non-evidentiary proof; evidence and ethics.

LLB207 Civil Procedure I (Inferior Courts)

The Magistrates court and its jurisdiction on civil matters; actions and pleadings; actions from letter of demand to judgment; default judgments; enforcement of judgments; appeals and reviews; debt collection procedures; rescission of judgments; Primary courts and civil procedure; ethical issues.

LLB208 Gender, HIV/AIDS and Law

Feminist theories; masculinities and gender; the concepts of equality and equity; the Constitution and equality; customary law and equality; gender and reproductive rights; gender and domestic violence; gender and sexual harassment; gender and sex work; gender and health; gender and labour law; gender and the criminal justice system; gender and family law; women in the legal profession; national and international instruments governing



gender equality; law reform, including affirmative action.

General overview of the HIV/AIDS pandemic with special focus on Zimbabwe and the region; HIV/AIDS policy in Zimbabwe; medical aspects of HIV/AIDS; human rights and people living with HIV/AIDS; HIV/AIDS and the right to health care and pregnant mothers; HIV/AIDS and emergency treatment of rape survivors; HIV/AIDS testing of rape offenders; deliberate transmission of HIV/AIDS and the criminal law; confidentiality and HIV/AIDS; informed consent and testing for HIV/AIDS; HIV/AIDS and employment; HIV/AIDS and insurance; HIV/AIDS and the rights of children; HIV/AIDS and the rights of prisoners; international patent law and the right of access to HIV/AIDS drugs; ethical issues in dealing with people living with HIV/AIDS.

LLB209 Public International Law

The history, nature, purpose and sources of international law; the difference between private international law and public international law, the relationship between public international law and private international law; the recognition of states and governments; territory; self-determination; sovereignty and immunity; jurisdiction; state responsibility; treaties; use of force; rules on the conduct of war; the peaceful settlement of disputes; enforcement of international law, international law and unilateralism; the United Nations and its organs.

LLB210 Human Rights and Humanitarian Law

PART A: Historical and philosophical roots of human rights; development and internationalisation of human rights; fundamental principles of human rights; first, second and third generation human rights vs indivisibility of human rights; Western and African debates on human rights; UN and regional instruments of human rights, with emphasis on the African system; the Constitution and human rights; implementation and protection procedures under national law, international and regional levels (emphasis on the African system); the role of INGOs and NGOs.

PART B: Humanitarian Law: Definition; historical foundations; the Geneva Conventions and other international instruments; application of humanitarian law to international and non-international armed conflicts; the challenge of use of chemical weapons and other modern deadly weapons; international crime and enforcement machinery; current contradictions in interpretation and enforcement of humanitarian law.

LLB301 Intellectual Property Law

General overview of concept of intellectual property; different categories: patents, trademarks, unlawful competition; copyright and neighbouring rights, industrial designs. The general overview will be followed by a study of specific topics including: character merchandising, dilution of trademarks; protection of famous marks, counterfeit goods, remedies; patents: registration, infringement and remedies; copyright, rights existing in copyright, infringement and remedies, moral rights, neighbouring rights; copyright and folklore; indigenous technology and intellectual property; intellectual property legislation; international aspects of intellectual property; intellectual property and economic development; the role of the World Intellectual Property Organisation (WIPO).

LLB302 Property Law

Meaning and place of property in society; basic concepts and historical overview; theories of property; classification of property; real and personal rights; the changing nature of ownership; acquisition, protection and limits on ownership; possession; servitudes and restrictive covenants; sectional titles, share blocks and time sharing; constitutional protection of property, Land Acquisition Act and land reform; real security: mortgage, pledge and lien.

LLB303 Law of Succession and Administration of Estates

General principles and different kinds of succession; differences between heirs and legatees; freedom of testation; intestate succession; capacity to make a will; formalities to make and amend a will; contents of a will; revocation of a will; challenging the validity of a will; usufruct; *fideicommissa*, testamentary trusts; interpretation of wills; impact of Administration of Estates Amendment Act on intestate succession; administration and distribution of deceased estates of deceased estates – the appointment, duties and liabilities of



executors, tutors and curators; ethical issues in administration of estates.

LLB304 Commercial Law

PART A: Sale: nature of contract of sale; essential elements and formation; the passing of risk; warranties; rights and duties of buyer and seller and applicable remedies for breach; consumer protection; CIF and FOB sales; termination of the contract.

PART B: Lease: nature of lease; essential elements and formation of the contract; the warranty against eviction; common law duties of lessor and lessee; remedies; short and long leases and the *huurgaarvoorkooprule*; termination of lease; rent regulations and the rent board.

PART C: Credit agreements: Hire purchase sales: History and role of hire purchase in the economy; forms of hire purchase; pledge, lease and lay-by; definition; instalment sale agreement; application of the Act; formation of the contract; invalid provisions; rights and duties of the parties; remedies; termination; financing of hire purchase sales (to include, promissory notes, recourse system, non-recourse system; pledge system, discount system and block system).

PART D: Other types of credit agreements.

PART E: Agency: History and nature of agency, formation of the contract; different kinds of agents; rights and duties of agent and principal; agency and third parties; the undisclosed principal; termination of the contract.

Clinical Legal Education I, II and III

The module will involve participation in clinical seminars, attendance in the legal aid clinic, participation in moots and mock trials.

LLB306 Administrative and Local Government Law

History and sources of administrative law; administrative law and democracy; administrative law and the public/private divide; methods of decision making and rule-making in administration; the structure and empowerment of the executive; kinds of administrative power; policy and discretion; judicial and legislative control of administrative power; rules of natural justice; illegality and *ultra vires* doctrine; fairness; reasonableness; remedies; exclusion of the power of review; state liability; privilege; the ombudsman; public corporations; the role of local government; local government legislation; rules and regulations; natural justice.

LLB307 Labour Law

History of Zimbabwean labour law; collective and individual labour law; the employment contract; rights and duties of the parties; collective bargaining and the Labour Relations Act; discipline and dismissals; procedural and substantive fairness in dismissals; remedies for unfair dismissal; industrial action; the National Social Security Act; workers' insurance and compensation; the Labour Court, jurisdiction and procedure.

LLB308 Accounting for Legal Practice

An introduction to accounting including the preparation of accounts for legal practitioners; the double entry system and the difference between assets, capital and liabilities; the difference between the business and trust account, the requirements of the Legal Practitioners Act and by-laws made thereunder; preparation of partnership and company accounts; liability of legal practitioners; ethical issues in accounting for lawyers.

LLB309 Legal Ethics and Professional Training

The legal profession and professional legal ethics; drafting, formation of the lawyer-client relationship; confidentiality; communications with clients; drafting of different kinds of legal documents including, letters of demand, drafting agreements; drafting memoranda to counsel; client counselling; client interviewing; negotiation skills; advocacy skills including, appellate advocacy; office management; the regulation and disciplining of legal practitioners; potential conflicts between the ethics of lawyering and personal ethics and morality; practical exercises.

This legal speciality introduces the student to the different types of ethical situations and dilemmas they may encounter in the legal workplace. Topics covered will include:

Why legal ethics? Legal ethics defined; judicial and professional regulation of lawyers; confidentiality and exceptions to the duty; the legal practitioner- client privilege; confidentiality and privilege compared;



relationships between lawyers and clients; competence and malpractice; zealous representation and advocacy issues; professionalism; conflicts of interest; fees and clients funds; advertising and solicitation; lawyers' duties to the courts; lawyers' duties to adversaries and third parties; duties of prosecutors; ethical issues for judges and magistrates.

LLB310 Civil Procedure II (Superior Courts)

The importance of procedure in civil cases; jurisdiction of various superior courts; actions and pleadings; motion and application proceedings; actions from letter of demand to judgment; exceptions; defences; special pleas; pre-trial procedures; adjudication on points law; summary and default judgments; provisional sentence; execution; rescission of judgments; debt collection procedures; appeals and reviews; ethical issues in civil procedure.

LLB501 Natural and Heritage Resources Law

PART A: Concept of Natural Resources; Soil; Water; Minerals; Flora and Fauna; Wetlands; Wilderness; Conservation vs Exploitation; Philosophies; Strategies; Techniques; Ownership, Natural Resources Legislation. PART B: Concept of cultural and Heritage resources; archaeological sites; historic buildings; sacred sites and objects; archives; conflict between modern laws and traditional practices; heritage curation and interpretation, the role of local communities in heritage management; local legislation; international Conventions and Charters.

LLB502 Jurisprudence

Meaning of jurisprudence; relevance to the study of law; history and nature of legal theory; a selection of legal theories from the following: Natural law theories (classical, medieval and modern); positivist theories (Bentham, Austin, Kelsen, Hart); natural law vs positivism and departures from classical theories; American and Scandinavian realism; critical legal studies; Feminist jurisprudence; critical race theories; Marxist theories; theories of law and specific application (the rule of law; judicial reasoning and activism; human rights and democracy; justice; law and social change and development; civil disobedience).

LLB504 Business Enterprises Law

Part A: Partnerships: Formation and nature; partnership property and shares in the partnership; the relationship of partners *inter se*; the relationship between the partnership and third parties including silent partners; dissolution and liquidation of a partnership.

PART B: Companies: Introduction, history and nature; formation and commencement of business; the role of the promoter; types of companies, legal personality and lifting of the corporate veil; the memorandum of association; the capital of a company; contracts concluded by a company; capacity of a company; directors; members and their rights and duties; the company's organs and officers; shares and the transfer of shares; offering of shares to the public; majority rule and the protection of minorities; enforcement of corporate duties; dividends; auditors; accounting and disclosure; insider trading; compromises and arrangements; take-overs; winding up and liquidation; judicial management.

Part C: Private Business Corporations: Purpose, nature and formation; juristic status; membership and members' interests; rights and duties of members; relations with third parties; accounting and disclosure; liability for the corporation's debts; de-registration and winding up; offences and penalties.

PART D: Parastatals and Cooperatives: Brief overview of these models of business and their role in the economy; bird's eye view of relevant legislation; current problems with these forms of business.

LLB506 Law and Economic Development

Meaning of development and economic development in particular; role of lawyers in development; law and agricultural development (land tenure; land use; agricultural marketing); law and industrial development (GATT/WTO, SADC; AU); the Uruguay and Doha round of negotiations; incentives for private investments; industrial property and economic development; export processing zones; international aid and conditionalities; the role of multilateral financial institutions (IMF, World Bank, African Development Bank) in economic development; international commercial arbitration, particularly ICSID; local challenges to economic development – lack of legal expertise, inadequate or ineffective laws, lack of resources, beauraucracy, conflicts of interest, lack of community participation in development, collusive tendering, bribery and corruption.



ELECTIVE MODULES

LLB001 Housing Law

Introduction to housing law and policy; government policies on public housing and subsidies; the role of the private sector in the housing market; mortgages and foreclosures; the rental market; rent controls; the role of lawyers and estate agents in the housing market; issues facing low and middle income tenants and homeowners; housing legislation and regulations; including, building standards; informal housing/squatting.

LLB002 Alternative Dispute Resolution

Why alternative dispute resolution as opposed to litigation (history); common types of ADR processes, including mediation, negotiation, arbitration and court- annexed government agency ADR; the lawyer's role in choosing the most appropriate ADR process in the light of advantages and disadvantages; the role of the neutral third party in facilitating a just and fair resolution of the dispute; why ADR may be a more efficient and effective method of settling disputes as opposed to traditional litigation.

LLB003 Environmental Law and Planning

The module examines the major global, regional and national environmental challenges and assesses the available legal and institutional mechanisms aimed at addressing these challenges. The relationship between the law and environment; fundamental principles including, sustainable development; preventive and precautionary principles; management of natural resources; regulation of hazardous products, including trans-boundary pollution and trade in waste, climate change and ozone layer depletion; mechanisms of implementation; enforcement and dispute resolution; national and regional courts; international adjudication and the role of international organisations and NGOs; Zimbabwe's environmental challenges and the Environmental Management Act; deforestation; land degradation; river siltation; pollution of water resources, waste management; weak laws and poor enforcement; effectiveness of environmental impact assessments; critical assessment of Zimbabwe's environmental policy, if any.

LLB004 Law of Banking and Negotiable Instruments

History and evolution of banking; the regulatory regime of banks and other financial institutions; the banker and customer relationship; rights and duties of the parties; liability of banks; securities in banking; bills of exchange, cheques and promissory notes. (NB The module focuses on domestic banking only).

LLB005 Mining and Energy Law

PART A: Mining Law

History and role of mining in the Zimbabwean economy; important concepts, including, mining, minerals, prospecting, acquisition and registration of mining rights; nature of rights, including ownership co-ownership and lease rights; legislation and regulation of the mining industry in Zimbabwe; indigenisation legislation and implementation; environmental issues in mining and prospecting; financing of mining operations; constitutional law issues; administrative law issues; health and safety issues in mining; state royalties; illegal mining operations.

PART B: Energy Law

Survey of the law and regulation of energy production, distribution and use; fuel production, electricity regulation, hydroelectric facility regulation, renewable energy, energy efficiency, energy tax policy and financial incentives; statutes and regulations developed in response to climate change concerns; legal issues at the intersection of energy and environmental law, including, petroleum consumption and smoke emissions, energy efficiency, clean air, renewable energy, facility citing and project finance.

LLB006 International Trade Law

History; the nature of international business transactions; special terms used in international trade; CIF and FOB contracts; financing of international trade (bills of lading, documentary credits; International trade guarantees (bank and other guarantees); MIGA rules; the system of counter-trade; the Hague Visby system rules and the



Hamburg rules; carriage of goods by sea, air and land; liability of the carrier; liner conference system; multi-modal transport of goods; export insurance; settlement of disputes.

LLB007 Social Security Law

History of the social security system and rationale; social security legislation and its implementation; rules governing trusts and estates and relevant tax laws; incapacity and guardianship; wills and trusts; medical care; health care decision making; social security/income support; social security and the elderly; social security and orphaned children; social security and people suffering from disabilities; social security and the unemployed; administration of the social security fund; the national Aids levy.

LLB008 Media and Telecommunications Law

PART A: Media Law

The role of the media in society; introduction to laws relating to print, broadcast and electronic media, striking the balance between the fundamental concept of a free press and other imperatives such as national security, privacy and reputational interests; investigation and prosecution of criminal conduct; the media and responsible reporting; the media and public figures.

PART B: Telecommunications Law

Examination of the regulation of telecommunications in Zimbabwe; the constitutional constraints or lack of on such regulation; the legal framework for both wired and wireless electronic communications such as via computer networks (eg, the internet), telephone, cable, broadcast and satellite; analysis of powers of the State and judicial authorities to intercept communications; issues of privilege and confidentiality; telephone taping and cyber surveillance vs the right to privacy.

LLB009 Criminology and Penology

History and criminological theories, causes of crime and delinquency; society's reaction to crime and delinquency; including the work of law enforcement agencies; the role of criminal statistics; sub-cultures and gangs; specific criminological problems (alcoholism, drug addiction; abnormality (physical and mental), sexual offences, sex work, homicide, suicide); the relationship between individual and society; female criminality; aims and justification for punishment; theories of punishment; sentencing; custodial methods of dealing with adults and minors; the Zimbabwean prison service; alternative methods of dealing with offenders; public participation in the criminal justice system.

LLB010 Law of International Organisations

Development of international law through the organisational framework; the promotion of international cooperation; the membership, structure, functions and powers of the UN and its specialised agencies; regional organisations, including, SADC, AU, COMESA, ECOWAS, EU, OAS.

LLB011 Income Tax Law and Estate Planning

History and the role of taxation in the economy; sources of state revenue; the legislative scheme; source, receipts and accruals; gross income; capital; exempt income; deductions; taxation of individuals, companies, partnerships, private business corporations; and international business; tax incentives; double taxation agreements; tax evasion and tax avoidance; assessment; objections and appeals; fringe benefits; indirect taxation, including, value added tax, transfer duty, estate duty, stamp duty, the ZIMRA scheme; introduction to estate planning.

LLB012 Forensic Medicine and Medical Law

PART A: Forensic Medicine

Exploring the interaction of the practices of law and medicine; the challenges and advantages of using forensic medicine in legal proceedings and how this affects the two disciplines; topics to include, identification of different types of injuries and causes of death, eg, firearms, death or injury due to extremes of heat, electricity, assault; clinical forensic medicine, including, sexual offences; spousal and child abuse; poisoning, intoxication, torture treatment of detainees; disease epidemiology; issues associated with the beginning and end of life; investigation of the crime scene; the conduct of an autopsy and distinguishing between natural and unnatural deaths; ethics in



forensic medicine.

Part B: Medical Law

The relationship between law and medicine; the doctor patient relationship; informed consent; medical ethics and confidentiality; abortion; contraception and sterilisation issues; artificial insemination and surrogacy; organ and tissue transplants; aids and the law; medical treatment of detainees; medical malpractice; medical ethics; regulation and disciplining of doctors for malpractice; liability of doctors to patients for malpractice

LLB013 Access to Justice in Zimbabwe

Defining access to justice; defining justice; obstacles to accessing justice; the Constitution and access to justice; access to justice as a right; the court system and the nature of litigation; the legal profession (advocates for justice or a greedy lot?); the class divide in the administration of justice and class injustice; the legal needs of the poor; the legal aid system; class actions; the *pro deo* system; law without lawyers?

LLB014 Children and the Law

Definition of a child, including the tension between law and culture; the concept of children's rights locally and internationally with particular focus on the UN Convention on the rights of the child; cultural differences and their effect on child upbringing; children's rights to parental care; unmarried fathers and the law in relation to their children; child labour; children in need of care; children and the right to health; education; children and the criminal justice system; procedures and jurisdiction of courts and alternatives to courts; corporal punishment as parental and school discipline; state and inter-state child care obligations; child law reform.

LLB015 International Criminal Law

History and development of the concept of international criminal law; national crime distinguished from international crime; jurisdiction in international crime; the tension between international crime and state sovereignty; categories of international crimes, to include genocide, aggression, war crimes, crimes against humanity, terrorism and torture, use of chemical weapons; the Rome statute; enforcement of international criminal law and surrounding controversies; the ad hoc criminal court for the former Yugoslavia and Rwanda; The International criminal court and the Special Court for Sierra Leone; the principles of international criminal law, including legality, *mens rea* individual criminal responsibility; superior orders, necessity, immunity; extradition of offenders to national courts and the surrender of offenders to international courts; selected international crime trials.

LLB016 Sports and Entertainment Law

PART A: Sports Law

The role of sport in modern society; regulation of sports, local and international trends, statutes and regulations governing sports; different models of sports governance; sports governance and the regulation of sports in Zimbabwe; professional sports and employment law, including restraint of trade agreements, restrictions on transfers, breach of contract and remedies; financial and business structures that define the industry, including broadcasting, image rights of athletes; sport and gambling; corruption and match-fixing; sports and human rights including rights to confidentiality, gender, HIV/AIDS and drug testing; the role of international sporting governing bodies, including FIFA, IOC, ICC; sports and politics.

PART B: Entertainment Law

Introduction to the practice of entertainment law; examining of entertainment statutes and regulations; business transactions; legal relationships in the entertainment industry, including, film and television, publishing, multimedia, music, theatre, visual arts and design; issues relating to confidentiality, defamation, personality rights and privacy; drafting of different types of agreements in the entertainment industry.

LLB017 Conveyancing

Administration of land law; the land registration system in Zimbabwe; conveyance of immovable property; leases; prospecting and mining rights; drafting of deeds of transfer; mortgage bonds; power of attorney; subdivisions and consolidations.

LLB018 Electoral Law and Processes in Zimbabwe

A study of the laws applicable and processes in the conduct of various types of elections in Zimbabwe. The constitution and elections, the Electoral Act, the role of the Electoral Commission; electoral disputes and the role



of the courts, contested results and related controversies.

LLB019 Notarial Practice

Drafting of notarial documents, to include, notarial bonds; deeds for change of name, deed of trusts; ante nuptial contracts; rules of conduct and practice of notaries; authentication of documents; foreign documents.

NON-LEGAL MODULES (CORE MODULES)

BAC101 Introduction to African Philosophy and Thought

This module deals with a plethora of issues in the African context. Some of the major aspects covered in this module include: the nature of African philosophy and thought, African identity, globalisation, African morality, Unhu/Ubuntu philosophy, African epistemology, African metaphysics and African's post-colonial challenge. A critical interpretation, analysis and evaluation of issues cultivate critical thinking in students undertaking this module. This module enables students to understand who they are, why they are, where they are and their African human dignity in the contemporary world. Thus, the spirit of Nationalism, Pan-Africanism and African Emancipation are cardinal in this African-logical study.

BHS101 Introduction to Zimbabwean History.

The Module introduces first year students to the study of Zimbabwean history from the pre- colonial era to the present. It surveys how Zimbabwean social, economic and political institutions have developed. It builds the learner's capacity to make informed socio-economic and political choices in order to contribute constructively to society. It acquaints students with knowledge of the past which is a vehicle of understanding Zimbabwean experiences today and this knowledge engenders understanding of human agency, empowerment, nation building and nation identity. The module covers the following topics: Stone Age, Early Iron Age, Later Iron Age, Refuge period and Mfecane, colonialism and occupation, colonial governance and African nationalism and also independence and post- colonial studies.

BHS110 Introduction to Zimbabwean Culture and Heritage

The module exposes the students to Zimbabwean heritage and cultural property, thus the tangible and intangible attributes of society, inherited from the past, maintained in the present and bestowed for social, economic and political advancement. Learners are introduced to the identification, preservation and safeguarding of Zimbabwean values (ubuntu/hunhu) and heritage in its diverse forms. The module covers the following topics: Introduction to Zimbabwean culture, Zimbabwean Traditional and Cultural Values, Colonialism and Zimbabwean Cultural values, Modernity, Globalisation and Zimbabwean Cultural values, Introduction to Heritage Studies, Heritage Conservation and Management in Zimbabwe.

HAPC101 Academic and Professional Communication

This module helps students to gain and improve on four macro skills, viz reading, writing, listening and speaking skills. Communication Skills is also a valuable module for personal development and for general communicative ability. Moreover, it is useful to the student in his/her academic endeavours and prepares the student for many professional careers. Apart from introducing students to the theory of communication, the module will also broaden their everyday language use and proficiency.

ICCT100 Introduction to Computers and Computer Technologies

Computer Literacy entails having knowledge and understanding of computers and its uses. The module provides a fundamental understanding of computer applications with the module V focus on the Microsoft Office Applications (Microsoft WORD, Microsoft Excel and Microsoft PowerPoint, Microsoft Access and Microsoft Frontpage). This is a complete lab based module where students will learn these applications by working on class assignment in the laboratory. The module topics include Basics and Fundamentals of computer applications. Students will also be covering the basic concepts in Computer hardware, software, operations systems, telecommunications, databases, as well as the usage of the Internet and conversion of Microsoft file format into various other file format as PDF, PS etc.



UNIVERSITY OF CHOICE



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