

CLA 1501

MAY/JUNE EXAM MEMO

2017

Section A

QUESTION 1

- a) The statement means that the law that applies in the republic of South Africa is drawn from various authoritative sources and the principle sources are statutes and decided cases. Unlike Roman law which is derived from one source particularly the *corpus iuris civilis*, hence it being regarded as codified because it is found in one written source.
- b) The various officers that can be found in the superior courts are :
- The registrar.
 - Sheriffs.
 - Masters of the Court.
 - Legal Practitioners.
- c) (i) This is a derivative method of acquisition of ownership; Mack will only obtain ownership of the Property only after registration at the Deeds office since it is an immovable property.
- (ii) This is an example of an original method of acquisition of ownership through Occupation that is seizure of property that belongs to no one. Therefore Sibusiso will obtain ownership of the rabbits by mere catching since they belong to no-one.
- (iii) This is an example of a derivative method of acquiring ownership of an immovable property through the delivery of the property; therefore Khamu will acquire ownership of the property upon delivery of the car to him by Mary.
- (iv) This is an example of an original method of acquisition of ownership through prescription where a person has enjoyed uninterrupted possession of property for a period of 30 years; therefore Musa will obtain ownership of the land through prescription.
- D) The three (3) sources of which may give rise to obligations between legal subjects are :
- I. Conclusion of a Contract.

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Judd E. Hollander



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