

## **FACULTY OF LAW**

### **BACHELOR OF ARTS (LAW)**

MALEMATSE, Vinolia Lerato

VENANI, Babalwa Siphokazi

### **BACHELOR OF LAWS**

ARNOLDUS, Raynaldo Jayveth  
BALOYI, Michael Zwelithini  
BANDA, Chiyanjano Julius  
BARRY, Shannon Charelle  
BINTA, Lonwabo Cebisa  
BWALYA, Chimwemwe Mulenga  
CHALIRA, Nicole  
CHIPATO, Tinotenda Orbert  
DAVIDS, Faranah  
DE BRUIN, Nachele  
DE KLERK, Jason Myles  
DE SOUSA, Micaela Justine  
DENT, Steven Carlington  
DINGA, Asavela  
DORFLING, Odette  
DU PREEZ, Crystal Monique  
DU TOIT, Michelle Christine  
DWAYI, Nathi Thina  
EARNEST, Seymone  
ERASMUS, Joel  
FACU, Mawethu  
FOSTER, Ann Ruth  
FROST, Samantha Marie  
GALLANT, Kyla Cassandra  
GALLANT, Vanith Emmanuel  
HAMMOND, Daniel  
HARDY, Jaclyn  
HEARNE, Staci-Leigh Norma  
HLWATIKA, Siphile  
HOLMQUIST, Malin Mari  
HORNE, Domonic Robin  
HUNDLEBY, Keagan James  
HUTTON, Warren Bernard  
JAM, Phumza  
JIKEKA, Manelisi Mkhumbuli  
JIZA, Babalo  
JONKER, Rowallan  
KAPP, Grant Anthony  
KAZAMBARA, Tatenda  
KITSANA, Sikhumbuzo  
LANDMAN, Armandt  
LANDMAN, Johan Abraham  
LANGDON, Natalie  
LE ROUX, Marius Werner  
LE ROUX, Nicole Lesley  
LE ROUX, Simone  
LEWIS, Kelly Ann  
LINKS, Thembelihle  
MAASDORP, Shandre Chantelle  
MAGAMA, Ntando  
MARTIN, Beauty Bulela  
MASEKA, Ntemesha Mwila  
MASUTHA, Khodani Vhonani  
MATTAWU, Simbarashe Emmanuel  
MBONO, Lwandile  
MC INTYRE, Kent Brian  
MCOSELI, Chuma Emily

MDUNYELWA, Ezile Aphelele Jongilizwe  
MEHLOMAKULU, Lumka  
MGWILI, Gcobani  
MINNAAR, Kevin  
MITHA, Trisha  
MNONO, Nothemba  
MOKHOTLA, Danisa Magayta  
MORULE, Thato Nonceba  
MOYO, Sive  
MPANGO, Nkhwerathilu  
MPETA, Mesuli Talita  
MPETA, Zoxolo Zimkita Zovuyo  
MROXE, Sinesipho  
MTULU, Xhantilomzi Donald  
MUKWEVHO, Gundo  
MWENDA, Wangari  
NCANYWA, Phiwokuhle Mbuyekezo Sixolile  
NCUBE, Vusa  
NDZELENI, Sindiswa Patricia  
NEL, Ashley Shaun  
NGANTWENI, Phatheka  
NGCANGA, Osiphesona  
NGINDA, Nangamso Spokazi  
NTSHWAXA, Mfundo Nkosana  
O'BRIEN, Moegamat Zaheer  
OLIPHANT, Clivene Justine  
PETER, Zikhona  
PLAATJIES, Primrose Phumla  
RALARALA, Ave Asivile  
REID, Wesley  
ROSSOUW, Rosshin Frederick  
SAMPSON, Sachin - Lee  
SIGIDI, Vuyo Elvin  
SOBAYENI, Sivuyile Achuma  
SOMANDI, Siphuxolo  
SUDENIE, Gretchen Antonine  
SUKA, Canaan Mtulisi  
TATCHELL, Veronique Cyrilene Simonese-Shante  
THOMAS, Nareesah Suzanne  
TIMAKWE, Thandisizwe Prince  
TITI, Anathi  
TUSWA, Nangamso  
VERMOOTEN, Kyle Jon  
VUMA, Nhlamulo Pallans  
WALTER, Dylan Brian  
WILLIAMS, Maron Jozeen  
WONGA, Bambanani  
XAKAVU, Siyamthanda Loyiso Cecil

### ***CUM LAUDE***

BRONKHORST, Bernice  
FOURIE, Margaretha Elizabeth  
MOODIEN, Tashreeq  
MPOFU, Kathleen  
PILLAY, Senthil

## POSTGRADUATE DIPLOMA IN LABOUR LAW PRACTICE

BALGOBIND, Karishma  
BROWN, Charles Kenrick  
BUYANA, Asaduma  
CHANDLER-TAYLOR, Verna  
DAMANE, Mcebisi  
HORN, Joshua  
JAFTA, Wright  
KAMA, Nobesuthu Akhona Braolla  
KWATSHA, Lubabalo  
MADIKANE, Samson Mbulelo  
MBENGO, Noxolo Portia  
MBONGWANA, Patiswa  
MZOZOYANA, Lesley Delon  
NDABAMBI, Siyabulela

NDZUNDZU, Simphiwe Ferrington  
NGONGOSHE, Mzwandile  
NODONGWE, Mqondisi Robert  
PATHER, Daschia Myrrell  
SAFA, Mbulelo  
SMITH, Dwayne Dalton  
TITUS, Juan Trevor  
WOLMARANS, Ester Louise

### **CUM LAUDE**

BOYENS, Marthinus Johannes  
FOCA, Nolusindiso Octavia  
NAIDOO, Karen

## POSTGRADUATE DIPLOMA IN LAW

AMUPOLO, Marcia Mary Nelago Nangombe  
(Labour Law)  
HUGO, Fikile William  
(Labour Law)  
LIBAZI, Nontandazo  
(Criminal Justice)  
MALI, Mandisi  
(Labour Law)

MAMASE, Sonwabo Ronald  
(Labour Law)  
MPAPELA, Bekisisa  
(Labour Law)  
MPITI, Livingstone Xolile  
(Labour Law)  
MQUQO, Edgar  
(Taxation)  
ROMER, Adrian Paul

## MASTER OF LAWS (COURSEWORK)

BARNARD, Hugo  
(Taxation)  
Title of treatise:  
*CROSS-BORDER ASSISTANCE IN THE RECOVERY OF FOREIGN TAX DEBT*

Supervisor: Prof A Singleton

BUTJIE, Boitumelo Cordelia  
(Labour Law)  
Title of treatise:  
*THE EFFECT OF THE MARIKANA EVENTS ON THE COLLECTIVE BARGAINING PROCESS IN SOUTH AFRICA*

Supervisor: Prof JA van der Walt

COETZER, Louwrens Stefanus Daniel  
(Labour Law)  
Title of treatise:  
*THE LEGAL CONSEQUENCES OF THE MIGRATION OF PUBLIC FURTHER EDUCATION AND TRAINING COLLEGE EMPLOYEES TO THE DEPARTMENT OF HIGHER EDUCATION AND TRAINING*

Supervisor: Prof A Govindjee

DELPOR, Gerhardus Jordaan  
(Labour Law)  
Title of treatise:  
*THE CONSTITUTIONALITY OF SECTION 14 OF THE EMPLOYMENT OF EDUCATORS ACT*

Supervisor: Mr T Qotoyi  
Co-supervisor: Mr MJ Boyens

DELPOR, Jacqueline Hayley  
(Taxation)  
Title of treatise:  
*LEGAL PRIVILEGE IN TAX MATTERS*

Supervisor: Prof A Singleton

DELPOR, Petrus Jacobus  
(Labour Law)  
Title of treatise:

*SUBSTANTIVE EQUALITY AND THE CHALLENGE TO AFFIRMATIVE ACTION AS JUSTIFICATION FOR UNFAIR DISCRIMINATION*

Supervisor: Prof JA van der Walt

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DOLOPI, Johnyboy Nkosana  
(Labour Law)

Title of treatise:

*AN EVALUATION OF THE APPROACH OF ARBITRATORS TO PROMOTION DISPUTES IN PUBLIC EDUCATION*

Supervisor: Prof JA van der Walt

---

GUNGUTA, Thembeke Maureen  
(Labour Law)

Title of treatise:

*THE REGULATION OF SICK AND INCAPACITY LEAVE IN THE PUBLIC SECTOR*

Supervisor: Dr LA Ndimurwimo

Co-supervisor: Mr MJ Boyens

---

JAPTHA, Louisa Dihelena  
(Labour Law)

Title of treatise:

*THE PROCEDURAL-FAIRNESS REQUIREMENT IN SUSPENSIONS*

Supervisor: Mr T Qotoyi

---

KANDILE, Msondezi Gordon  
(Labour Law)

Title of treatise:

*AMENDMENTS TO COLLECTIVE LABOUR LAW*

Supervisor: Prof JA van der Walt

---

KRUGER, Leander  
(Taxation)

Title of treatise:

*A COMPARISON OF TAXATION REFORMS REGARDING RETIREMENT FUNDING BETWEEN SOUTH AFRICA AND THE UNITED KINGDOM*

Supervisor: Prof A Singleton

---

MAHARAJ, Michelle Nicole  
(Criminal Justice)

Title of treatise:

*BARRIERS CREATED BY THE LAW OF EVIDENCE IN RELATION TO INTENTIONAL AND RECKLESS EXPOSURE TO AND TRANSMISSION OF HIV*

Supervisor: Ms DL David

---

MATOTI, Kenneth Augustus Linda  
(Labour Law)

Title of treatise:

*THE FAIRNESS OF SANCTIONS FOR MISCONDUCT DISMISSALS*

Supervisor: Mrs L Biggs

---

MBELENI, Xolani Mc Glory  
(Labour Law)

Title of treatise:

*THE IMPACT OF VIOLENCE DURING STRIKE ACTION ON PROTECTED STRIKES*

Supervisor: Prof JA van der Walt

Co-supervisor: Mr MJ Boyens

---

MDLAKA, Solomzi Siyabonga  
(Labour Law)

Title of treatise:

*UNFAIR DISMISSALS IN THE CONTEXT OF A TRANSFER OF A GOING CONCERN*

Supervisor: Mr T Qotoyi

---

MTUMTUM, Lungisa Shadrack  
(Labour Law)

Title of treatise:

*EFFECTING SOCIAL JUSTICE DURING CONCILIATION AND CON-ARB PROCESSES CONDUCTED AT THE CCMA AND BARGAINING COUNCILS*

Supervisor: Prof JA van der Walt

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MYOLI, Vuyiseka Marly  
(Labour Law)

Title of treatise:

*AN EVALUATION OF AFFIRMATIVE ACTION IN THE PUBLIC SECTOR*

Supervisor: Dr LA Ndimurwimo

---

NJAMELA, Marrof Zalisile  
(Labour Law)

Title of treatise:

*THE SOCIAL SECURITY LAW POSITION OF EMPLOYEES INVOLVED IN MOTOR VEHICLE ACCIDENTS*

Supervisor: Prof A Govindjee

---

OLIPHANT, Lukhanyo Shane  
(Labour Law)

Title of treatise:

*THE RIGHT TO ENGAGE IN COLLECTIVE BARGAINING*

Supervisor: Prof JA van der Walt

---

OOSTHUIZEN, Tania  
(Labour Law)

Title of treatise:

*DISCRIMINATION BASED ON AGE IN LABOUR LAW*

Supervisor: Mr MJ Boyens

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RAFAPA, Malose Given  
(Labour Law)

Title of treatise:

*ESTABLISHING GOOD CAUSE SUBSEQUENT TO A DEEMED DISMISSAL*

Supervisor: Prof JA van der Walt

---

RUSTIN, Jonavon Keith  
(Labour Law)

Title of treatise:

*APPOINTMENT AND PROMOTION DISPUTES IN THE PUBLIC EDUCATION SECTOR*

Supervisor: Prof JA van der Walt

---

SAFA, Mbulelo  
(Labour Law)

Title of treatise:

*AN EVALUATION OF THE LABOUR DISPUTE RESOLUTION SYSTEM IN THE EDUCATION SECTOR*

Supervisor: Prof JA van der Walt

---

SINUKA, Zamile Hector  
(Labour Law)

Title of treatise:

*AFFIRMATIVE ACTION AS A STRATEGY FOR SOCIAL JUSTICE*

Supervisor: Prof JA van der Walt

---

SNYMAN, Chanel  
(Labour Law)

Title of treatise:

*DETERMINING JURISDICTION AT CONCILIATION AND ARBITRATION*

Supervisor: Prof A Govindjee

---

SOTSHONONDA, Ndomelele  
(Labour Law)

Title of treatise:

RECENT DEVELOPMENTS CONCERNING THE UNFAIR LABOUR PRACTICE RELATING TO PROMOTION

Supervisor: Prof JA van der Walt

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#### MASTER OF LAWS (RESEARCH)

DU PLOOY, Inalize  
(Public Law)

Title of dissertation:

THE COMBINED EXCLUSIVE MARITIME ZONE OF AFRICA

Supervisor: Prof PHG Vrancken

---

LAING, Samantha Robyn – **Cum Laude**

(Public Law)

Title of dissertation:

THE CONSTITUTIONALITY OF THE CRIMINAL LAW (FORENSIC PROCEDURES) AMENDMENT ACT

Supervisor: Prof D Erasmus

Co-supervisor: Ms DL David

---

#### DOCTOR OF LAWS

BIGGS, Lynn  
(Mercantile Law)

Title of thesis:

AN EVALUATION OF THE IMPACT OF THE CONSUMER PROTECTION ACT 68 OF 2008 ON THE RELATIONSHIP BETWEEN FRANCHISORS AND FRANCHISEES

Supervisor: Prof HJ Delpport

---

NDZENGU, Nkululeko Christopher

(Public Law)

Title of thesis:

A COMPARATIVE ANALYSIS OF ASPECTS OF CRIMINAL AND CIVIL FORFEITURES: SUGGESTIONS FOR SOUTH AFRICAN ASSET FORFEITURE LAW REFORM

Supervisor: Prof D Erasmus

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## DOCTORAL DEGREE CITATIONS

# THE DEGREE OF DOCTOR OF LAWS (MERCANTILE LAW)

LYNN BIGGS

**Previous qualifications:**

1993 BCom (Law)  
1995 LLB  
2008 LLM

University of Port Elizabeth  
University of Port Elizabeth  
Nelson Mandela Metropolitan University

**Thesis:**

*AN EVALUATION OF THE IMPACT OF THE CONSUMER PROTECTION ACT 68 OF 2008 ON THE RELATIONSHIP BETWEEN FRANCHISORS AND FRANCHISEES*

Franchising is a business model, whereby the franchisee is licensed to conduct business in a specific style originated by the franchisor. It constitutes a major part of economic activity worldwide, providing a livelihood to millions of people in many business types. The industry is well-established in South Africa, and its potential to contribute to job creation, the promotion of economic equality and the alleviation of poverty is specifically recognised by government. There is, however, a need to regulate the industry; since the inherent characteristics of the franchise relationship trigger tension between franchisors and franchisees, exacerbated by standard-form franchise agreements favouring the franchisor.

The Consumer Protection Act was the first attempt in South Africa at regulating the franchise relationship statutorily, described by the candidate as a well-intended effort at levelling the bargaining power of the parties, and promoting fairness. However, the study also highlights a number of shortcomings in the Act. It is submitted that the provisions relating to the disclosure of information have not been clearly articulated, and that changes to both the Act and the regulations promulgated thereunder are required to balance the franchise relationship.

It is also regrettable that the Act does not provide for the generic franchising education of prospective franchisees, and that no attempt was made in the legislation to develop entrepreneurship and grow the franchising industry. The candidate proposes that the Act should apply only to small, inexperienced or unsophisticated franchisees requiring protection, and that mechanisms be introduced to promote the education of such franchisees, in order to enhance the growth of such industries.

# THE DEGREE OF DOCTOR OF LAWS (PUBLIC LAW)

NKULULEKO CHRISTOPHER NDZENGU

**Previous qualifications:**

1991 BA (Law)  
1993 LLB  
2009 LLM

Rhodes University  
Rhodes University  
Nelson Mandela Metropolitan University

**Thesis:**

*A COMPARATIVE ANALYSIS OF ASPECTS OF CRIMINAL AND CIVIL FORFEITURES:  
SUGGESTIONS FOR SOUTH AFRICAN ASSET FORFEITURE LAW REFORM*

The candidate embarked on a comparative study of the asset-forfeiture regimes of South Africa, Canada and New Zealand. He compared the South African asset-forfeiture regime, as a developing country, with the regimes of Canada and New Zealand, as developed countries. Asset-forfeiture regimes target the economic and property base of criminality; and they assist in reducing or eliminating it, sending out the message that crime does not pay. The research centred around the reasons for the introduction of asset forfeiture in these countries; and how South Africa, in comparison with the other two jurisdictions, has dealt with the aspects of disclosure in *ex parte* applications; the recovery of criminal benefit and the assessment thereof; living, legal, business and debt expenses; instrumentality and proportionality analysis; and how asset forfeiture affects children.

He concluded that the South African asset-forfeiture regime compared favourably with the other jurisdictions. He made practical proposals regarding possible changes to the South African asset-forfeiture regime by amending current South African legislation. Furthermore, he drafted a proposed Amendment Bill and Regulations to this effect, as part of his recommendations. His work provides a significant contribution to the improvement and effective implementation of the South African asset-forfeiture regime.