



Tutorial Letter 101/3/2018

Paralegal Advice Centre
PAC2602

Semesters 1 and 2

Department of Mercantile Law

This tutorial letter contains important information
about your module.

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1 INTRODUCTION

Dear Student

We are pleased to welcome you as a student of Paralegal Advice Centre (**PAC2602**) and hope that you will find it interesting and rewarding. We shall do our best to make your studies of this module successful. You will be well on your way to success if you start studying early in the semester and resolve to do the assignments properly.

This tutorial letter (**PAC2602/101/2018**) contains important information concerning this module. We urge you to read it carefully and to keep it at hand when working through the tutorial material, preparing the assignments, preparing for the examination, and addressing questions to your lecturers.

In this tutorial letter, you will find the two assignments for both semesters as well as instructions on the preparation and submission of the assignments. **(See paragraph 8 below regarding the importance of the assignments for admission to the examinations and their contribution towards a year mark for the module).**

This tutorial letter also provides all the information you need with regard to the prescribed tutorial material and how to obtain it. Your study material for **PAC2602** consists of **tutorial letter 101** (this tutorial letter); **tutorial letter 501** (study guide); **tutorial letter 201** (commentaries on the assignments) which you will receive from the University and it is available on **myUnisa**. Please study this information carefully and make sure that you have access to the prescribed material as soon as possible. These tutorial letters will not necessarily all be available at the time of registration. Tutorial letters will be accessible to students on **myUnisa** as soon as they become available.

Please note that announcements concerning the module will be posted on the *myUnisa* module site by the lecturer from time to time through the 'Announcement Tool'. **You are therefore advised to frequently visit your module site to keep yourself up to date about any developments in the module.**

You are required to register on **myUnisa**, a tool which will enable you to access your study material, communicate with other students and lecturers and submit assignments. You can access **myUnisa** on <http://my.unisa.ac.za>

Further, we include in this tutorial letter certain general and administrative information concerning this module.

For further information on **myUnisa** and other administrative information, please consult the publication **Study @ Unisa**.

Right from the start we would like to point out that **you must read all the tutorial letters issued** during the semester **immediately and carefully**, as they always contain important and, sometimes, urgent information.

We hope that you will enjoy this module and wish you all the best!

2 PURPOSE AND OUTCOMES

2.1 Purpose

The aim of this module is to provide and equip students with a general understanding and applied knowledge, skills and competence on how to establish and run a Paralegal Advice Centre.

The following knowledge will be assessed directly or indirectly:

- A study of how to establish a Paralegal Advice Centre.
- A study of the purpose of a Paralegal Advice Centre.
- A study of how to draft a constitution of a Paralegal Advice Centre.
- A study of the importance of a constitution for a Paralegal Advice Centre and its important parts.
- A study of budgets and how to prepare one for a Paralegal Advice Centre.
- A study of how to register a Paralegal Advice Centre as a Non-Profit Organisation.
- A study of different entities or structures which can be used to register a Paralegal Advice Centre as a Non-Profit Organisation.

2.2 Outcomes

After studying this module and completing the activities, you should be able to use your knowledge to establish a Paralegal Advice Centre; prepare its budget and constitution and register it as a Non-Profit Organisation. You should also be able to analyse and evaluate problem situations, and apply the relevant principles to those situations, suggest solutions and provide responsible advice for purposes of establishing a Paralegal Advice Centre, prepare its budget and constitution and register it as a Non-Profit Organisation.

3 LECTURER(S) AND CONTACT DETAILS

3.1 Lecturer(s)

NAME	TELEPHONE NUMBER	EMAIL ADDRESS
Prof C Stoop (Module leader)	(012) 429 4324	churrc@unisa.ac.za
Ms. E Mbiriri	(012) 429 8723	mbirie@unisa.ac.za

Letters should be send to:

The Module leader (PAC2602)

Department of Mercantile Law
PO Box 392
UNISA
0003

PLEASE NOTE: Letters to lecturers may not be enclosed with assignments.

3.2 Department

You may, alternatively also contact the departmental secretary Ms N Nage on (012) 429 8460.

3.3 University

If you need to contact the University about matters not related to the content of this module, please consult the publication **Study @ Unisa** which you received with your study material. This booklet contains information on how to contact the University (e.g. to whom you may write, important telephone and fax numbers, addresses and details of the times certain facilities are open).

4 RESOURCES

4.1 Prescribed books

Please note that there are **NO PRESCRIBED BOOK(S)** for this module. **TUTORIAL LETTER 501** is your **STUDY GUIDE** and all study units in your study guide must be studied.

4.2 Recommended books

There are no recommended books for this module.

4.3 Electronic reserves (e-reserves)

There are no e-Reserves for this module.

4.4 Library services and resources information

For brief information, go to www.unisa.ac.za/brochures/studies

For detailed information, go to <http://www.unisa.ac.za/library>. For research support and services of personal librarians, click on "Research support".

The library has compiled a number of library guides:

- finding recommended reading in the print collection and e-reserves – <http://libguides.unisa.ac.za/request/undergrad>
- requesting material – <http://libguides.unisa.ac.za/request/request>
- postgraduate information services – <http://libguides.unisa.ac.za/request/postgrad>
- finding, obtaining and using library resources and tools to assist in doing research – http://libguides.unisa.ac.za/Research_Skills
- how to contact the library/finding us on social media/frequently asked questions – <http://libguides.unisa.ac.za/ask>

5 STUDENT SUPPORT SERVICES

For information on the various student support systems and services available at Unisa (e.g. student counselling, tutorial classes, language support), please consult the publication **Study @ Unisa** which you received with your study material.

Students are also encouraged to register for **myUnisa** and **myLife** in order to interact with fellow students. **If you need further information about myUnisa and myLife, please contact myUnisaHelp@unisa.ac.za or myLifeHelp@unisa.ac.za** (respectively) or send an SMS to 43582.

Free computer and internet access:

Unisa has entered into partnerships with establishments (referred to as Telecentres) in various locations across South Africa to enable you (as a Unisa student) free access to computers and the Internet. This access enables you to conduct the following academic related activities: registration; online submission of assignments; and engaging in e-tutoring activities, etc. Please note that any other activity outside of these is for your own costing e.g. printing, photocopying, etc. For more information on the Telecentre nearest to you, please visit www.unisa.ac.za/telecentres.

6 STUDY PLAN

You may refer to **Study @ Unisa** for general time management and planning skills. Please make an immediate note of the closing dates for assignments. Lecturers may not grant extensions for the submission of assignments and **failure to submit assignment 01 will mean that you do not have admission to the examination.**

7 PRACTICAL WORK AND WORK-INTEGRATED LEARNING

Not applicable for this module.

8 ASSESSMENT

8.1 Assessment criteria

The module will be useful to students with an interest in establishing and running Paralegal Advice Centres (PAC's). The aim of this module is to provide students with a sound understanding and knowledge of a Paralegal Advice Centre and equip them with applied knowledge, skills and competence on how to establish a Paralegal Advice Centre, prepare its constitution; register it as a Non-Profit Organisation (NPO) and prepare its budgets.

Students credited with this module will be able to establish, register and run Paralegal Advice Centres in their communities.

A range of tasks (activities) in the study guide or tutorial letter, assignments and an examination will show whether students have successfully achieved the outcomes.

OUTCOME 1:

Explain the process of establishing a Paralegal Advice Centre and prepare its constitution.

Assessment Criteria

- What a Paralegal Advice Centre is.
- The role of a Paralegal Advice Centre in the community is explained.
- The process of setting up a Paralegal Advice Centre in the community is explained.
- The constitution of a Paralegal Advice Centre, its purpose and important components are explained.
- The main parts to be included in a Paralegal Advice Centre's constitution ((as contained in the Non Profit Organizations Act (NPO Act 71 of 1997)) are mentioned and described.

OUTCOME 2:

Demonstrate knowledge and understanding of budgets and how to prepare one for a Paralegal Advice Centre using appropriate guidelines.

Assessment Criteria

- A budget and its purpose are explained.
- Components of a budget are identified and described.
- The calculation and analysis of expenses and income for a Paralegal Advice Centre based on given case studies is explained.
- The preparation, writing and monitoring of a budget for a Paralegal Advice Centre are described and discussed.
- Documents to accompany a budget when approaching donors are identified and explained.

OUTCOME 3:

Define and differentiate different forms of Non Profit Organisations (NPOs) which can be chosen for purposes of registering a Paralegal Advice Centre as an NPO.

Assessment Criteria

- How to register an organisation as an NPO in terms of the NPO Act 71 of 1997 is explained.
- The benefits and duties of a registered NPO are mentioned and explained.
- A section 21 company as a form of an NPO is explained.
- A trust as a form of an NPO is explained.
- A voluntary association as a form of an NPO is explained.
- Different fund-raising activities are identified and the planning of fund raising events is explained.
- Guidelines for choosing a structure for an NPO are discussed.

8.2 Assessment plan

The tuition method for this module consists of both formative assessment and summative assessment. **The year mark counts 20% and the examination mark counts 80%.** In other words: **the mark obtained for the two compulsory assignments (year mark) will count 20% towards your final mark, provided that you obtain an examination mark of at least 40%.**

You therefore need to obtain a subminimum of at least 40% in the examination before your year mark will be taken into account. This means that a student who has obtained at least 40% in the examination and who has a good year mark will have a great advantage above another student who has no year mark or a poor year mark.

8.3 Assignment numbers

8.3.1 General assignment numbers

The module consists of two assignments per semester, namely, assignment 1 and 2.

8.3.2 Unique assignment numbers

FIRST SEMESTER

The first semester assignments can be found under the Addendum.

Assignment number	Unique number
Assignment 01:	859819
Assignment 02:	722778

SECOND SEMESTER

The second semester assignments can be found under the Addendum.

Assignment number	Unique number
Assignment 01:	817926
Assignment 02:	788420

8.4 Assignment due dates

The due dates for the submission of the assignments are:

FIRST SEMESTER

The first semester assignment due dates are:

Assignment number	Due date
Assignment 01:	15 March 2018
Assignment 02:	09 April 2018

SECOND SEMESTER

The second semester assignment due dates are:

Assignment number	Due date
Assignment 01:	31 August 2018
Assignment 02:	17 September 2018

8.5 Submission of assignments

Assignments are seen as part of the study material for this module. You will thus be actively engaged in learning when you do the assignments, study the study guide and discuss the work with fellow students or lecturers. **Your assignments must reach us on or before the submission date.** For detailed information and requirements as far as assignments are concerned, see the publication *Study @ Unisa*.

TAKE NOTE: ASSIGNMENTS RECEIVED AFTER THE FINAL SUBMISSION DATE WILL NOT BE MARKED.

No extension for the submission of the assignments will be given. Please **DO NOT** approach your lecturers with such requests, as we are unable to grant extensions.

8.6 The assignments

There are two assignments per semester. **The total of each assignment is 10 marks.**

(a) FIRST SEMESTER

- Assignment 1 is a written/typed assignment and consists of “Question 1.1 – 1.5”.
- Assignment 2 is a written/typed assignment and consists of “Question 1.1 – 1.3”.

(b) SECOND SEMESTER

- Assignment 1 is a written/typed assignment and consists of “Question 1.1 – 1.5”.
- Assignment 2 is a written/typed assignment and consists of “Question 1.1 – 1.2”.

The format and numbering of assignments must be as follow:

- (a) In this module you will have two written assignments per semester. Make sure that you write the correct assignments for the semester for which you are registered.
- (b) Remember that your assignment must have exactly the same number (for example, assignment 01 and assignment 02) and unique number as the one specified in this tutorial letter.
- (c) It is wise to **make copies of assignments** before submitting them, in case they get lost.
- (d) Do not submit the assignment a second time. The computer will simply reject it as a duplicate assignment.
- (e) **Students may submit written/typed assignments by post or electronically via myUnisa. Assignments may not be submitted by fax or e-mail.** When submitting your written/typed assignment electronically via **myUnisa**, please make sure that your assignment is submitted in **PDF format**.
- (f) Assignments should be addressed to:
- The Registrar
PO Box 392
UNISA
0003
- (g) When submitting a written/typed assignment by mail, **you must INCLUDE a cover sheet with** your assignment.
- (h) To submit an assignment via myUnisa:

Go to **myUnisa**.

- Log in with your student number and password.
- Select the module.
- Click on assignments in the left-hand menu.
- Click on the assignment number you want to submit.
- Follow the instructions on the screen.

- (i) **Plagiarism** is the act of taking words, ideas and thoughts of others and passing them off as your own. It is a form of theft which involves a number of dishonest academic activities.

PLEASE NOTE: Each student must submit his or her own work. It is unacceptable for students to submit identical assignments on the basis that they worked together. That will amount to plagiarism and none of these assignments will be marked. Furthermore, these students may be penalised or subjected to disciplinary proceedings of the University.

PLEASE FOLLOW THE ABOVE INSTRUCTIONS CAREFULLY.**Commentaries and feedback on assignments:**

The commentaries and feedback on the two compulsory assignments will be sent to all students registered for this module in Tutorial Letter **PAC2602/201/2018**.

As soon as you have received these commentaries, please compare it with your answers. The assignments and the commentaries on the assignments constitute an important part of your study material for the examination.

8.7 Other assessment methods

There are no other assessment methods for this module. (The assessment methods for this module are stipulated in **paragraph 8.2** above).

8.8 The examination

For general information and requirements about the examination, see the publication ***Study @ Unisa***.

Examination admission:

Submission of the first compulsory assignment will give a student admission to the examinations. The marks for this assignment will contribute **10%** to the student's final marks. The marks a student obtains for the second compulsory assignment, will contribute another **10%** to the student's final marks. The examination will then contribute **80%** towards a student's final marks.

Consequently, students who **only** submit the first compulsory assignment will have admission to the examination, but will lose the opportunity of adding the marks to be obtained for the second compulsory assignment to their final marks. They will nevertheless be admitted to the examination.

Examination period:

This module is a semester module. This means that if you are registered for the first semester you will write the examination in **May/June 2018** and the supplementary examination will be written in **October/November 2018**. If you are registered for the second semester you will write the examination in **October/November 2018** and the supplementary examination will be written in **May/June 2019**.

During the course of the semester, the Examination Section will provide you with information regarding the examination in general, examination venues, examination dates and examination times.

Examination paper:

In **May/June 2018** or **October/November 2018** (depending on the semester for which you are registered) you will write a **two-hour paper** on Paralegal Advice Centre (**PAC2602**). To pass, you need to obtain at least **50%** for the paper.

You also need to obtain at least 40% in the examination before your year mark will be taken into account. This means that a student who has obtained at least 40% in the examination and who has a good year mark will have a great advantage over another student who has a bad year mark.

9 FREQUENTLY ASKED QUESTIONS

See the publication **Study @ Unisa** brochure which contains an A-Z guide of the most relevant study information.

10 SOURCES CONSULTED

Not applicable for this module.

11 IN CLOSING

We encourage you to immediately start studying and not wait for the last minute to do your assignments or prepare for the examination. Your success is our priority, because through you we will achieve our goal.

12 ADDENDUM

FIRST AND SECOND SEMESTER COMPULSORY ASSIGNMENTS

FIRST SEMESTER: ASSIGNMENT 01**Submission date: 15 March 2018****Unique number: 859819**

QUESTION 1

Stipulate whether the following statements are TRUE or FALSE and provide A REASON for each of your answers:

- 1.1 Since paralegals are court practitioners, they do not rely on alternative mechanisms for dispute resolution, such as negotiation, mediation and arbitration. (2)
- 1.2 Only government departments can be of help in establishing a Paralegal Advice Centre. (2)
- 1.3 The constitution of a Paralegal Advice Centre should contain complicated legal terminology in order to impress members of the community and the general public. (2)
- 1.4 There are various rules about what a budget should contain. (2)
- 1.5 There are four different forms of legal entities/structures which can be registered in terms of the NPO Act, namely a voluntary association, a trust, a profit company and a non-profit company. (2)

TOTAL: Assignment 1: [10]

FIRST SEMESTER: ASSIGNMENT 02

Submission date: 09 April 2018

Unique number: 722778

QUESTION 1

Answer the following questions:

- 1.1 Michael was appointed as a paralegal at KDE justice centre of Legal Aid SA. Which functions do paralegals perform at law clinics and justice centres of Legal Aid SA? (3)
- 1.2 Neo is a fieldworker at the Legal Resources Centre. She was employed in order to assist with various activities. Name FOUR such activities. (4)
- 1.3 What are the THREE main reasons for fundraising? (3)

TOTAL: Assignment 2: [10]

SECOND SEMESTER: ASSIGNMENT 01

Submission date: 31 August 2018

Unique number: 817926

QUESTION 1

Stipulate whether the following statements are TRUE or FALSE and provide A REASON for each of your answers:

- 1.1 The Constitution of South Africa, 1996 was promulgated by President Thabo Mbeki. (2)
- 1.2 In August 2006, a Draft Legal Services Charter was published. The Charter was aimed at promoting only economic justice through the empowerment of historically disadvantaged individuals by means of the transformation of the legal service sector. (2)
- 1.3 The majority of paralegals in South Africa are commercial paralegals. (2)
- 1.4 A paralegal may sign summons or any other court document. (2)
- 1.5 Paralegals, who have received special accredited training, provide debt counselling services in terms of the Consumer Protection Act 68 of 2008 to consumers who are unable to repay their debts, due to their financial position. (2)

TOTAL: Assignment 1: [10]

SECOND SEMESTER: ASSIGNMENT 02

Submission date: 17 September 2018

Unique number: 788420

QUESTION 1

Answer the following questions:

- 1.1 One of the main elements of a Paralegal Advice Centre's constitution is meeting procedures. During meetings, important decisions are made or decisions already taken, are ratified. Name **SIX** provisions regarding "meetings" which should be considered. (6)
- 1.2 The SSB Paralegal Advice Centre in Kwaggasrand has drawn up a budget that needs to be approved by the governing body. Which **FOUR** issues should the governing body consider in approving the budget? (4)

TOTAL: Assignment 2: [10]

We hope that you will enjoy this module and we wish you success with your studies.

Prof. C Stoop (012) 429-4324

Ms. E Mbiriri (012) 429-8723