



## REVISED CIS CURRICULUM 2011

The Education and Examinations Committee of the Chartered Secretaries Southern Africa has undertaken an in-depth review of its curriculum, and has decided that the curriculum will change from January 2011 to take account of the growing needs of the Institute and to better prepare its students for a career in corporate governance.

The main changes relate to the law subjects in CIS programmes 1 and 2.

- The changes will be effective from January 2011 and will be examined for the first time in the May 2011 examinations
- No new enrolments will be accepted for Foundations of Law after the October 2010 examination.
- The new 5-subject structure for Programme 2 will be introduced for the first time in 2011.
- Students already enrolled for Programme 2 will be given two further sittings to pass the entire programme without having to do the new Advanced Commercial law subject, i.e. they would need to complete all subjects in the existing Programme 2 by October 2011. Should they not succeed in this they will be required to register for Advanced Commercial Law in 2012.
- Students who registered for CIS Programme 1 in 2010 will have the option of doing Advanced Commercial Law as an additional subject during 2011 and 2012. If they have not completed both the existing CIS programmes 1 and 2 by October 2012, they will have to enrol for Advanced Commercial Law from January 2013.

The effect of this change will be that the “shape” of the structure will change from a 5-4-4 structure to a 4-5-4 structure.

The table below sets out the comparative structure as well as the transitional rules that will be applied in order to implement the new curriculum without prejudicing existing students.

### IMPLEMENTATION

CIS Programme 1		
Current structure (2010)	New Structure (2011)	Rules
Communication	Communication	
Economics	Economics	
Financial Accounting 1 (including Interpreting financial accounts)	Financial Accounting 1 (including Interpreting financial accounts)	
Foundations of Law General Principles of Commercial Law	General Principles of Commercial Law (including an introduction to governance)	Students who passed Foundations of Law in 2010 will not be required to answer the section of the paper dealing with Foundations of Law in the May 2011 sitting. The paper will be divided into three sections as follows: Section 1: Foundations of Law elements (20 marks) Section 2: Commercial law elements (60 marks) Section 3: Governance elements (20 marks)

		<p>Their paper will be marked out of 80 and converted to a percentage. They will have to study the section on governance in the revised syllabus.</p>
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<b>CIS Programme 2</b>		
<b>Current structure (2010)</b>	<b>New Structure (2011)</b>	<b>Rules</b>
Managing Information System	Managing Information Systems	
Management Principles	Management Principles	
Taxation	Taxation	
Financial Accounting II	Financial Accounting II	
	Advanced Commercial Law	May not be written before General Principles of Commercial Law has been passed. See Transitional arrangements above.
<b>CIS Programme 3</b>		
<b>Current structure (2010)</b>	<b>No change</b>	<b>Rules</b>
Corporate Law Strategic Management Cost and Management Accounting Financial Accounting III	Corporate Law Strategic Management Cost and Management Accounting Financial Accounting III	

## APPENDIX: SYLLABUS CONTENT

Note that the textbook can be used for 2 years.

### Module: General Principles of Commercial Law (CIS Programme 1)

Textbook: *General Principles of Commercial Law*: Authors: Trix van der Merwe; Peter Havenga; Michele Havenga; W.G. Schulze; Kathleen van der Linde; C. Garbers

Syllabus outline

Concept	Details	Textbook Reference
Foundations of law	The South African legal system Introduction to the theory of law	This will form 20% of the paper Pages 1 – 23
The different forms of business entities from a legal point of view.	<ul style="list-style-type: none"> <li>• Sole trader</li> <li>• Partnership</li> <li>• Close corporation</li> <li>• Company and other incorporated bodies</li> </ul>	Pg 323 - 344
The law of obligations	<ul style="list-style-type: none"> <li>• Introduction to the law of contract</li> <li>• The formation of a contract</li> <li>• Principles and rules concerning valid and binding contracts</li> <li>• Breach of contract; remedies on the ground of breach of contract</li> <li>• The transfer and termination of obligations</li> <li>• Capacity to contract: minors; marriage contracts.</li> </ul>	Pg 49 – 139
Specific contracts	<ul style="list-style-type: none"> <li>• Contract of purchase and sale               <ul style="list-style-type: none"> <li>○ The principles relating to latent defects</li> <li>○ The liability of manufacturers and expert dealers</li> <li>○ Passing of risk.</li> </ul> </li> <li>• Contract of lease               <ul style="list-style-type: none"> <li>○ Duties of parties,</li> <li>○ Agency</li> <li>○ Lessor &amp; lessee's rights</li> <li>○ Landlords hypothec, lien, sub-lease.</li> <li>○ Occupation.</li> <li>○ Landlord's duty to maintain property</li> </ul> </li> <li>• Insurance contracts               <ul style="list-style-type: none"> <li>○ formation of contract;</li> <li>○ non-disclosure;</li> <li>○ misrepresentation;</li> <li>○ warranties and conditions;</li> <li>○ insurable interest;</li> <li>○ construction of policy;</li> <li>○ the risk;</li> <li>○ premium;</li> <li>○ indemnity;</li> <li>○ assignment and transfer.</li> </ul>               (Note: marine contracts excluded)             </li> <li>• Credit agreements</li> </ul>	Pg 153 - 170  Pg 171 – 190  Pg 191 – 202  Pg 203 - 242

Concept	Details	Textbook Reference
Introduction to key concepts in governance	<ul style="list-style-type: none"> <li>• Ethics</li> <li>• Sustainable business and administration practice</li> <li>• Risk management</li> </ul>	Will form 20% of the paper A supplementary document will be required for this as it is not covered in the textbook. This will be available from the Institute in January 2011

**Module:** Advanced Commercial Law (CIS Programme 2)

**Textbook:** General Principles of Commercial Law: Authors: Trix van der Merwe; Peter Havenga; Michele Havenga; W.G. Schulze; Kathleen van der Linde; C. Garbers

Concept	Details	Textbook Reference
Intellectual property	<ul style="list-style-type: none"> <li>• Basic intellectual property rules <ul style="list-style-type: none"> <li>○ Trade secrets</li> <li>○ Patent law</li> <li>○ Copyright</li> <li>○ Trade-marks</li> <li>○ Plus quasi-IP</li> </ul> </li> </ul>	Pg 275 – 296
Alternative dispute resolution	<ul style="list-style-type: none"> <li>• Understanding conflicts and disputes</li> <li>• Understanding dispute resolution</li> <li>• Dispute systems design</li> <li>• Negotiation</li> <li>• Mediation</li> <li>• Chairing</li> <li>• Facilitation</li> <li>• The Arbitration Act</li> <li>• Arbitration Agreements</li> </ul>	Pg 297 – 308
Law of agency	<ul style="list-style-type: none"> <li>• Commencement of agreement (written or oral), operation of law, estoppel, ratification.</li> <li>• The relationship of negotiorum gestor – unauthorised management.</li> <li>• Termination of relationship.</li> <li>• The relationship of negotiorum gestor.</li> <li>• The personal liability of the agent &amp; the agent's implied warranty of authority.</li> </ul>	Pg 309 - 322
Law of competition	<ul style="list-style-type: none"> <li>• The maintenance and promotion of competition in the national economy</li> <li>• The elimination of harmful restrictive trade practices</li> <li>• Overview of Competitions Act</li> </ul>	Pg 345 - 358
Secured transactions	<ul style="list-style-type: none"> <li>• Personal and real security</li> <li>• The contract of suretyship and principles peculiar to it.</li> <li>• Forms of security: pledge, mortgage</li> <li>• Liens (the right to retain an object on which money or labour has been expended)</li> </ul>	Pg 359 – 370
Negotiable	<ul style="list-style-type: none"> <li>• Cheques, writing out cheques in the</li> </ul>	Pg 371 – 454

Concept	Details	Textbook Reference
instruments and other methods of payment	manner creating the least risk for the business. <ul style="list-style-type: none"> <li>• Lost or stolen cheques, crossing cheques.</li> <li>• Bills of exchange.</li> </ul>	
Law of trusts	<ul style="list-style-type: none"> <li>• Principles of SA law of trusts</li> <li>• Trust and taxation (income tax, CGT, estate duty, etc)</li> <li>• Administration of trusts</li> <li>• Practical drafting of a trust document</li> <li>• Special trusts</li> <li>• Duties and obligations of trustees</li> <li>• Insolvency of a party to a trust</li> </ul>	Pg 455 – 474
Law of insolvency	<ul style="list-style-type: none"> <li>• Sequestration (voluntary surrender or compulsory sequestration)</li> <li>• Acts of insolvency set out in section 8 of the Insolvency Act (which create a presumption of insolvency).</li> <li>• Voidable preferences.</li> <li>• The acts of insolvency, which create a presumption of insolvency.</li> <li>• Voidable transactions and the position of the solvent spouse.</li> </ul>	Pg 475 – 498
Administration of estates	<ul style="list-style-type: none"> <li>• Intestate Succession</li> <li>• Testate Succession               <ul style="list-style-type: none"> <li>○ Formalities</li> <li>○ Interpretation of Wills</li> <li>○ Problems with bad drafting</li> </ul> </li> <li>• Administration Process               <ul style="list-style-type: none"> <li>○ Reporting to the Master</li> <li>○ Collecting assets</li> <li>○ Paying liabilities</li> <li>○ Advertising requirements</li> <li>○ Drafting Liquidation &amp; Distribution Accounts</li> <li>○ Calculating estate duty</li> <li>○ Transfer of assets and payment to heirs</li> </ul> </li> <li>• Minor beneficiaries</li> </ul>	Pg 499 – 512