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No. 1217 **21 December 2009**

SOUTH AFRICAN QUALIFICATIONS AUTHORITY (SAQA)

In accordance with Regulation 24(c) of the Regulations of 28 March 1998, the Task Team for

Public Prosecuting

registered by Organising Field 08 - Law, Military Science and Security, publishes the following Unit Standards for public comment.

This notice contains the titles, fields, sub-fields, NQF levels, credits, and purposes of the Unit Standards. The full Unit Standards can be accessed via the SAQA web-site at **www.saqa.org.za**. Copies may also be obtained from the Directorate for Standards Setting and Development at the SAQA offices, SAQA House, 1067 Arcadia Street, Hatfield, Pretoria.

Comment on the Unit Standards should reach SAQA at the address ***below and no later than 29 January 2010.*** All correspondence should be marked **Standards Setting – Task Team for Public Prosecuting** addressed to

The Director: Standards Setting and Development
SAQA
Attention: Mr. E. Brown
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SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

Apply the general principles of legal costs in the magistrate courts

SAQA US ID	*UNIT STANDARD TITLE*		
365179	Apply the general principles of legal costs in the magistrate courts		
ORIGINATOR		*PROVIDER*	
Task Team - Public Prosecuting			
FIELD		*SUBFIELD*	
8 - Law, Military Science and Security		Justice in Society	
ABET BAND	*UNIT STANDARD TYPE*	*NQF LEVEL*	*CREDITS*
Undefined	Regular	Level 5	3

New NQF Level: NQF Level 05

This unit standard does not replace any other unit standard and is not replaced by another unit standard.

SPECIFIC OUTCOME 1
Apply the general principles relating to costs.

SPECIFIC OUTCOME 2
Describe the different categories of cost awards.

SPECIFIC OUTCOME 3
Explain specific cost orders.

SPECIFIC OUTCOME 4
Indicate an understanding of the content of the Act and Rules of Court relating to Costs.

QUALIFICATIONS UTILISING THIS UNIT STANDARD
None

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SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

Tax bills of costs in the magistrates' court

SAQA US ID	*UNIT STANDARD TITLE*		
365180	Tax bills of costs in the magistrates' court		
ORIGINATOR		*PROVIDER*	
Task Team - Public Prosecuting			
FIELD		*SUBFIELD*	
8 - Law, Military Science and Security		Justice in Society	
ABET BAND	*UNIT STANDARD TYPE*	*NQF LEVEL*	*CREDITS*
Undefined	Regular	Level 5	5

New NQF Level: NQF Level 05

This unit standard does not replace any other unit standard and is not replaced by another unit standard.

SPECIFIC OUTCOME 1
Understanding the nature, process and stages of taxation.

SPECIFIC OUTCOME 2
Describe certain aspects of cost on relation to taxation.

SPECIFIC OUTCOME 3
Understand counsel fees, correspondent and instructing attorneys, and review of taxation.

SPECIFIC OUTCOME 4
Understand the role of the taxing master and the ethics relating thereto.

SPECIFIC OUTCOME 5
Identify and selected portions of the Magistrate court Act, Rules and tariff relating to taxation.

SPECIFIC OUTCOME 6
Tax a bill of costs.

QUALIFICATIONS UTILISING THIS UNIT STANDARD
None

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SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

Apply court ethics and the etiquette for prosecutors in the National Prosecuting Authority (NPA)

SAQA US ID	*UNIT STANDARD TITLE*		
365181	Apply court ethics and the etiquette for prosecutors in the National Prosecuting Authority (NPA)		
ORIGINATOR		*PROVIDER*	
Task Team - Public Prosecuting			
FIELD		*SUBFIELD*	
8 - Law, Military Science and Security		Justice in Society	
ABET BAND	*UNIT STANDARD TYPE*	*NQF LEVEL*	*CREDITS*
Undefined	Regular	Level 5	4

New NQF Level: NQF Level 05

This unit standard does not replace any other unit standard and is not replaced by another unit standard.

SPECIFIC OUTCOME 1
Know and apply legislation, case law and directives relevant to criminal court proceedings.

SPECIFIC OUTCOME 2
Apply court etiquette relevant to criminal court proceedings.

QUALIFICATIONS UTILISING THIS UNIT STANDARD
None

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SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

Make an appointment in the estate of a person incapable of managing his or her own affairs

SAQA US ID	*UNIT STANDARD TITLE*		
365182	Make an appointment in the estate of a person incapable of managing his or her own affairs		
ORIGINATOR		*PROVIDER*	
Task Team - Public Prosecuting			
FIELD		*SUBFIELD*	
8 - Law, Military Science and Security		Justice in Society	
ABET BAND	*UNIT STANDARD TYPE*	*NQF LEVEL*	*CREDITS*
Undefined	Regular	Level 6	5

New NQF Level: NQF Level 06

This unit standard does not replace any other unit standard and is not replaced by another unit standard.

SPECIFIC OUTCOME 1
Explain the role of the Master in authorising the administration of an estate of persons incapable of managing their own affairs.

SPECIFIC OUTCOME 2
Appoint a curator bonus or tutor in terms of common law.

SPECIFIC OUTCOME 3
Appoint a curator personae in terms of the common law.

SPECIFIC OUTCOME 4
Appoint an administrator in terms of the Mental Health Care Act.

SPECIFIC OUTCOME 5
Appoint a co-administrator in terms of the Mental Health Care Act.

SPECIFIC OUTCOME 6
Appoint a curator in terms of the Prevention of Organised Crime Act 121 of 1998, as amended.

SPECIFIC OUTCOME 7
Appoint a curator to the estate of an absent person.

SPECIFIC OUTCOME 8
Appoint a testamentary tutor or curator.

QUALIFICATIONS UTILISING THIS UNIT STANDARD
None

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SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

Consider default judgements in terms of Rule 12 of the Magistrates' Court Act 32 of 1944

SAQA US ID	*UNIT STANDARD TITLE*		
365184	Consider default judgements in terms of Rule 12 of the Magistrates' Court Act 32 of 1944		
ORIGINATOR		*PROVIDER*	
Task Team - Public Prosecuting			
FIELD		*SUBFIELD*	
8 - Law, Military Science and Security		Justice in Society	
ABET BAND	*UNIT STANDARD TYPE*	*NQF LEVEL*	*CREDITS*
Undefined	Regular	Level 5	4

New NQF Level: NQF Level 05

This unit standard does not replace any other unit standard and is not replaced by another unit standard.

SPECIFIC OUTCOME 1
Apply the general principles relating to considering default judgement.

SPECIFIC OUTCOME 2
Demonstrate an understanding of the procedure when applying for a default judgement.

SPECIFIC OUTCOME 3
Determine whether the specific requirements for the process of granting a judgement are met.

SPECIFIC OUTCOME 4
Consider a request for default judgement.

QUALIFICATIONS UTILISING THIS UNIT STANDARD
None

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SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

Apply the promotion of access to information Act 2 of 2000 in Public Bodies

SAQA US ID	*UNIT STANDARD TITLE*		
365185	Apply the promotion of access to information Act 2 of 2000 in Public Bodies		
ORIGINATOR		*PROVIDER*	
Task Team - Public Prosecuting			
FIELD		*SUBFIELD*	
8 - Law, Military Science and Security		Justice in Society	
ABET BAND	*UNIT STANDARD TYPE*	*NQF LEVEL*	*CREDITS*
Undefined	Regular	Level 6	5

New NQF Level: NQF Level 06

This unit standard does not replace any other unit standard and is not replaced by another unit standard.

SPECIFIC OUTCOME 1
Explain the context in which the Promotion of Access to Information Act 2 of 2000 is applied and how that context impacts on the application of the Act.

SPECIFIC OUTCOME 2
Explain the provisions of the Promotion of Access to Information Act 2 of 2000 and apply them to a given set of facts.

SPECIFIC OUTCOME 3
Apply the Promotion of Access to Information Act in practice.

QUALIFICATIONS UTILISING THIS UNIT STANDARD
None

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SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

Examine the account of a Tutor, Curator or Administrator

SAQA US ID	*UNIT STANDARD TITLE*		
365186	Examine the account of a Tutor, Curator or Administrator		
ORIGINATOR		*PROVIDER*	
Task Team - Public Prosecuting			
FIELD		*SUBFIELD*	
8 - Law, Military Science and Security		Justice in Society	
ABET BAND	*UNIT STANDARD TYPE*	*NQF LEVEL*	*CREDITS*
Undefined	Regular	Level 6	5

New NQF Level: NQF Level 06

This unit standard does not replace any other unit standard and is not replaced by another unit standard.

SPECIFIC OUTCOME 1
Draw an account of a tutor or curator.

SPECIFIC OUTCOME 2
Examine the account of the tutor, curator or administrator.

QUALIFICATIONS UTILISING THIS UNIT STANDARD
None

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SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

Apply the master's supervision of the administration of an estate of a person incapable of managing his or her own affairs

SAQA US ID	*UNIT STANDARD TITLE*		
365187	Apply the master's supervision of the administration of an estate of a person incapable of managing his or her own affairs		
ORIGINATOR		*PROVIDER*	
Task Team - Public Prosecuting			
FIELD		*SUBFIELD*	
8 - Law, Military Science and Security		Justice in Society	
ABET BAND	*UNIT STANDARD TYPE*	*NQF LEVEL*	*CREDITS*
Undefined	Regular	Level 6	10

New NQF Level: NQF Level 06

This unit standard does not replace any other unit standard and is not replaced by another unit standard.

SPECIFIC OUTCOME 1
Explain the role of the Master in authorising the administration of an estate of persons incapable of managing their own affairs.

SPECIFIC OUTCOME 2
Apply the Masters' power to regulate the functions of a tutor, curator bonis, administrator or natural guardian to a set of facts.

SPECIFIC OUTCOME 3
Register a caveat in appropriate cases.

SPECIFIC OUTCOME 4
Decide on an appropriate remedy when a tutor, curator bonus or administrator does not fulfil his or her duties and implement the decision.

QUALIFICATIONS UTILISING THIS UNIT STANDARD
None

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SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

Draft intermediate Legislation

SAQA US ID	*UNIT STANDARD TITLE*		
365188	Draft intermediate Legislation		
ORIGINATOR		*PROVIDER*	
Task Team - Public Prosecuting			
FIELD		*SUBFIELD*	
8 - Law, Military Science and Security		Justice in Society	
ABET BAND	*UNIT STANDARD TYPE*	*NQF LEVEL*	*CREDITS*
Undefined	Regular	Level 6	10

New NQF Level: NQF Level 06

This unit standard does not replace any other unit standard and is not replaced by another unit standard.

SPECIFIC OUTCOME 1
Understand the drafting process.

SPECIFIC OUTCOME 2
Understand the amendment of legislation.

SPECIFIC OUTCOME 3
Understand the interpretation of legislation.

SPECIFIC OUTCOME 4
Understand subordinate legislation.

SPECIFIC OUTCOME 5
Draft a Bill.

SPECIFIC OUTCOME 6
Demonstrate a clear understanding of drafting instructions.

QUALIFICATIONS UTILISING THIS UNIT STANDARD
None

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SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

Examine a liquidation and distribution account in a deceased estate

SAQA US ID	*UNIT STANDARD TITLE*		
365189	Examine a liquidation and distribution account in a deceased Estate		
ORIGINATOR		*PROVIDER*	
Task Team - Public Prosecuting			
FIELD		*SUBFIELD*	
8 - Law, Military Science and Security		Justice in Society	
ABET BAND	*UNIT STANDARD TYPE*	*NQF LEVEL*	*CREDITS*
Undefined	Regular	Level 6	10

New NQF Level: NQF Level 06

This unit standard does not replace any other unit standard and is not replaced by another unit standard.

SPECIFIC OUTCOME 1
Determine and collect the information necessary to draw a liquidation and distribution account.

SPECIFIC OUTCOME 2
Draw a liquidation and distribution account.

SPECIFIC OUTCOME 3
Examine a liquidation and distribution account.

QUALIFICATIONS UTILISING THIS UNIT STANDARD
None

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SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

Demonstrate an understanding of the legislative factors and principles of common law impacting on the application of Section 65 of the National Road Traffic Act 93 of 1996

SAQA US ID	*UNIT STANDARD TITLE*		
365190	Demonstrate an understanding of the legislative factors and principles of common law impacting on the application of Section 65 of the National Road Traffic Act 93 of 1996		
ORIGINATOR		*PROVIDER*	
Task Team - Public Prosecuting			
FIELD		*SUBFIELD*	
8 - Law, Military Science and Security		Justice in Society	
ABET BAND	*UNIT STANDARD TYPE*	*NQF LEVEL*	*CREDITS*
Undefined	Regular	Level 6	10

New NQF Level: NQF Level 06

This unit standard does not replace any other unit standard and is not replaced by another unit standard.

SPECIFIC OUTCOME 1
Understand the definitions contained in Section 1 of the National Road Traffic Act, Act 93 of 1996.

SPECIFIC OUTCOME 2
Understand the conditions related to suspension/cancellation of licences as laid out in Section 33, Section 34 and Section 35 of the National Road Traffic Act 93 of 1996.

SPECIFIC OUTCOME 3
Understand the conditions pertaining to prohibitions in respect of alcohol related offences as contained in Section 65 (1)-65 (9) of the National Road Traffic Act 93 of 1996.

SPECIFIC OUTCOME 4
Understand the Legislation and the findings of the South African Courts in relation to presumptions.

SPECIFIC OUTCOME 5
Evaluate and assess the available evidential material contained in a police docket and determine the admissibility thereof during court cases.

QUALIFICATIONS UTILISING THIS UNIT STANDARD
None

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SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

Make an appointment in a deceased estate

SAQA US ID	*UNIT STANDARD TITLE*		
365191	Make an appointment in a deceased estate		
ORIGINATOR		*PROVIDER*	
Task Team - Public Prosecuting			
FIELD		*SUBFIELD*	
8 - Law, Military Science and Security		Justice in Society	
ABET BAND	*UNIT STANDARD TYPE*	*NQF LEVEL*	*CREDITS*
Undefined	Regular	Level 6	5

New NQF Level: NQF Level 06

This unit standard does not replace any other unit standard and is not replaced by another unit standard.

SPECIFIC OUTCOME 1
Explain the role of the Master in authorising the administration of a deceased estate.

SPECIFIC OUTCOME 2
Apply the rules regarding the jurisdiction of the Master in a deceased estate.

SPECIFIC OUTCOME 3
Deal with matters relating to wills when making an appointment in a deceased estate.

SPECIFIC OUTCOME 4
Deal with matters relating to intestate succession when making an appointment in a deceased estate.

SPECIFIC OUTCOME 5
Issue Letters of Authority in a deceased estate.

SPECIFIC OUTCOME 6
Issue Letters of Executorship in a deceased estate.

SPECIFIC OUTCOME 7
Endorse foreign Letters of Appointment in a deceased estate.

SPECIFIC OUTCOME 8
Deal with the transfer of shares in a foreign deceased estate.

SPECIFIC OUTCOME 9
Appoint an interim curator.

SPECIFIC OUTCOME 10
Appoint an assumed executor.

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SPECIFIC OUTCOME 11
Remove an executor.

QUALIFICATIONS UTILISING THIS UNIT STANDARD
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SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

Apply the promotion of administrative justice Act, Act 3 of 2000

SAQA US ID	*UNIT STANDARD TITLE*		
365199	Apply the promotion of administrative justice Act, Act 3 of 2000		
ORIGINATOR		*PROVIDER*	
Task Team - Public Prosecuting			
FIELD		*SUBFIELD*	
8 - Law, Military Science and Security		Justice in Society	
ABET BAND	*UNIT STANDARD TYPE*	*NQF LEVEL*	*CREDITS*
Undefined	Regular	Level 6	10

New NQF Level: NQF Level 06

This unit standard does not replace any other unit standard and is not replaced by another unit standard.

SPECIFIC OUTCOME 1
Show how the contexts in which administrative decisions are made impacts on the application of the promotion of administrative justice Act.

SPECIFIC OUTCOME 2
Analyse the provisions of the Promotion of Administrative Justice Act and apply it to a set of facts.

SPECIFIC OUTCOME 3
Apply the Promotion of Administrative Justice Act to a given case.

QUALIFICATIONS UTILISING THIS UNIT STANDARD
None

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SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

Apply the supervision role of the executor's administration of a deceased estate

SAQA US ID	*UNIT STANDARD TITLE*		
365219	Apply the supervision role of the executor's administration of a deceased estate		
ORIGINATOR		*PROVIDER*	
Task Team - Public Prosecuting			
FIELD		*SUBFIELD*	
8 - Law, Military Science and Security		Justice in Society	
ABET BAND	*UNIT STANDARD TYPE*	*NQF LEVEL*	*CREDITS*
Undefined	Regular	Level 5	6

New NQF Level: NQF Level 05

This unit standard does not replace any other unit standard and is not replaced by another unit standard.

SPECIFIC OUTCOME 1
Explain the role of the Master as regulator of the administration of a deceased estate.

SPECIFIC OUTCOME 2
Apply the Masters' power to regulate the administration of deceased estates to a set of facts.

SPECIFIC OUTCOME 3
Decide on an appropriate remedy when an executor does not fulfil his or her duties.

QUALIFICATIONS UTILISING THIS UNIT STANDARD
None

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SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

Understand and apply the principles and rules relating to the admissibility and proof of the contents of relevant detrimental statements

SAQA US ID	*UNIT STANDARD TITLE*		
365220	Understand and apply the principles and rules relating to the admissibility and proof of the contents of relevant detrimental statements		
ORIGINATOR		*PROVIDER*	
Task Team - Public Prosecuting			
FIELD		*SUBFIELD*	
8 - Law, Military Science and Security		Justice in Society	
ABET BAND	*UNIT STANDARD TYPE*	*NQF LEVEL*	*CREDITS*
Undefined	Regular	Level 5	6

New NQF Level: NQF Level 05

This unit standard does not replace any other unit standard and is not replaced by another unit standard.

SPECIFIC OUTCOME 1
Know and understand how the privilege against self-incrimination, as enshrined in the Constitution of the Republic of South Africa impacts on a criminal trial.

SPECIFIC OUTCOME 2
Know and understand legislation and case law pertaining to the admissibility and proof of the contents of relevant detrimental statements made by an accused prior to a criminal trial.

SPECIFIC OUTCOME 3
Know and understand the rules of practice that apply during a criminal trial whenever the admissibility of a relevant detrimental statements made by an accused is placed in dispute.

SPECIFIC OUTCOME 4
Apply the relevant legislation, case law and rules of practice during a criminal trial where the admissibility of a relevant detrimental statements made by an accused is placed in dispute.

QUALIFICATIONS UTILISING THIS UNIT STANDARD
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SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

Demonstrate a knowledge of the principles and methodology that underlie the drafting of legal documents

SAQA US ID	*UNIT STANDARD TITLE*		
365239	Demonstrate a knowledge of the principles and methodology that underlie the drafting of legal documents		
ORIGINATOR		*PROVIDER*	
Task Team - Public Prosecuting			
FIELD		*SUBFIELD*	
8 - Law, Military Science and Security		Justice in Society	
ABET BAND	*UNIT STANDARD TYPE*	*NQF LEVEL*	*CREDITS*
Undefined	Regular	Level 6	15

New NQF Level: NQF Level 06

This unit standard does not replace any other unit standard and is not replaced by another unit standard.

SPECIFIC OUTCOME 1
Demonstrate a clear understanding of the Constitutional imperatives.

SPECIFIC OUTCOME 2
Demonstrate a clear understanding of Parliamentary and Legislature legislative processes.

SPECIFIC OUTCOME 3
Demonstrate a clear understanding of the development of legislation.

SPECIFIC OUTCOME 4
Demonstrate a clear understanding of the relevance of the Acts of general Application to legislative drafting.

SPECIFIC OUTCOME 5
Demonstrate a clear understanding of the structure of Bills.

SPECIFIC OUTCOME 6
Demonstrate a clear understanding of specific provisions of Bills.

SPECIFIC OUTCOME 7
Demonstrate a clear understanding of the different types of legislation.

SPECIFIC OUTCOME 8
Demonstrate a clear understanding of legislative style, punctuation and plain language drafting.

QUALIFICATIONS UTILISING THIS UNIT STANDARD
None

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