

**UNIVERSITY OF SWAZILAND  
FACULTY OF SOCIAL SCIENCE  
DEPARTMENT OF LAW**

**SUPPLEMENTARY EXAMINATION PAPER, JULY 2007**

**TITTLE OF PAPER : THE LAW OF PERSONS AND FAMILY**

**COURSE CODE : L203**

**TIME ALLOWED : THREE (3) HOURS**

**INSTRUCTIONS: (1) ANSWER ALL FOUR (4) QUESTIONS**

**(4) MARKS FOR QUESTIONS OR PARTS OF QUESTIONS ARE SHOWN IN BRACKETS.**

**THIS PAPER MAY NOT BE OPENED UNTIL PERMISSION HAS BEEN GRANTED BY THE INVIGILATOR.**

**QUESTION 1**

Discuss the requirements for the application of the *nasciturus* fiction.

**[25 marks]**

**QUESTION 2**

Sipho is the seven year old son of a divorced couple. His father lives in Johannesburg but he lives with his mother in Cape Town. Where is Sipho domiciled? Your answer must be substantiated with decided cases.

**[25 marks]**

**QUESTION 3**

What are the grounds for divorce in a civil rites marriage in Swaziland? Would you argue that they serve the needs of the Swazi Nation today, and if not, explain why?

**[25 marks]**

**QUESTION 4**

Is a man who is party to a customary marriage entitled to enter into a civil marriage at a later stage? Answer this question with reference to authority.

**[25 marks]**