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**UNIVERSITY OF SWAZILAND**  
**INSTITUTE OF DISTANCE EDUCATION**  
**DEPARTMENT OF LAW**  
**SUPPLEMENTARY EXAMINATION PAPER, JULY 2012**

**TITLE OF PAPER : INTRODUCTION TO LABOUR LAW**

**COURSE CODE : DL 013**

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

**INSTRUCTIONS :**

- (1) ANSWER QUESTION 1 (40 MARKS)**
- AND**
- (2) ANY OTHER THREE QUESTIONS (20 MARKS EACH) 100.**

**THIS PAPER IS NOT TO BE OPENED UNTIL PERMISSION HAS BEEN  
GRANTED BY THE INVIGILATOR**

**QUESTION 1**

(a) State the facts in the case of *S v. De Bloom* 1977 3SA 513 (A) and give its ruling on the defence of the ignorance of the law.

[20 Marks]

(b) State the facts in the case of *Mfanimphele Mkhabela v. The King*, Criminal Appeal Case 37/1988 and give its ruling on the defence of the ignorance of the law.

[20 Marks]

[40 Marks]

**QUESTION 2**

Write short notes on the following;

(a) Retributive theory

[5 Marks]

(b) Preventive theory

[5 Marks]

(c) Reformatory theory

[5 Marks]

(d) The Unitary theory

[5 Marks]

[20 Marks]

**QUESTION 3**

With particular reference to decided cases, discuss the doctrine of *versari in re illicita*.

[20 Marks]

#### **QUESTION 4**

Write short notes on the following;

- (a) Sane Automatism [6 Marks]
  - (b) Insane Automatism [6 Marks]
  - (c) What is meant by a disease of the mind in criminal law? [8 Marks]
- [20 Marks]

#### **QUESTION 5**

Write short notes on the following;

- (a) Thin skull principle [5 Marks]
  - (b) Motive in murder cases [5 Marks]
  - (c) Distinction between crimes and delicts [5 Marks]
  - (d) Defence of necessity [5 Marks]
- [20 Marks]