

**DETAILED CURRICULUM**  
**LEVEL FOUR – SEMESTER SEVEN**  
**PRIVATE INTERNATIONAL LAW**

<b>COURSE DETAILS</b>			
<b>Course Code</b>	LW 7382		
<b>Course Title</b>	PRIVATE INTERNATIONAL LAW		
<b>Course Type</b>	Auxiliary		
<b>Credits</b>	02		
<b>Hours Allotted</b>	<b>Theory</b>	15	<b>Total</b>  45
	<b>Practical</b>		
	<b>Assignments/Tutorials</b>	30	
<b>AIM</b>			
Private International Law comes into operation whenever the court is faced with a claim that contains a foreign element. This element is present that Private International Law has a function to perform. This course aims at providing a basic knowledge on the relevant areas of Private International Law.			
<b>INTENDED LEARNING OUTCOMES</b>			
After completion of the course, learners should be able to, recognize the competent courts, particular laws, questions of dispute and municipal system to cover the rights and obligation.			
<b>COURSE CONTENTS</b>			
<ol style="list-style-type: none"> <li>1. An Introduction to the Subject</li> <li>2. Immovables and Movables</li> <li>3. Steps to be taken for application of Private International Law Rules <ul style="list-style-type: none"> <li>• Clarification of Cause of Action through Characterization</li> <li>• The selections the lex causae</li> <li>• The law that should be applied</li> <li>• Application of the lex causae</li> <li>• Incidental question, main question.</li> </ul> </li> <li>4. Reasons that courts give refusing to enforce a foreign law <ul style="list-style-type: none"> <li>• Foreign Penal Law</li> <li>• A foreign Revenue law</li> <li>• A foreign Expropriatory Legislation</li> <li>• The Foreign Law was contrary to the Public policy of enforcing court.</li> </ul> </li> <li>5. Domicile and Nationality</li> </ol>			

## 6. Marriage

- Meaning of Marriage
- The Principle as Mutation
- Law which governs the formal requirement of a Marriage Contract
- Common Law exception to form Common Law Marriage
- Canon Law Marriage
- Capacity to Marry
- Dissolution of Marriage: A Question of Jurisdiction
- Recognition of Foreign Decrees of Nullity
- Monogamy, Polygamy and Bigamy

## 7. Obligation

- Contracts
- Torts/Delict

## 8. Property

- Immovables
- Movables

## 9. Sovereign Immunity

<b>ASSESSMENT CRITERIA</b>	<b>% OF MARKS</b>
Semester End Examination	70
Assignments	20
Class Quizzes	10
<b>RECOMMENDED READINGS</b>	
1. JJ Fawcett, JM Carruthers' Private International Law	
2. Anton, Private International Law A treatise from the standpoint as Scots law	