SPECIALISATION IN CONSTRUCTION LAW COURSE 2027

INFORMATION BOOKLET
(Module 5)

Revision 1



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1. INTRODUCTION TO THE COURSE

1.1. We welcome you to the **Specialisation in Construction Law Course** (the Specialisation Course or the SCL Course).

1.2. The Association of Arbitrators (Southern Africa) NPC's (the Association) **correspondence courses** were inaugurated in 1985 and have been successful far beyond our expectations.

1.3. The Association is extremely aware of the need to provide adequate training for Arbitrators, and others who may become involved in arbitration. Many individuals aspiring to be arbitrators, and who may be appointed as such, have only the sketchiest idea of the laws and rules that apply to the situation that they have to deal with; of the rules of natural justice; and of the procedures and techniques that need to be employed if an arbitration hearing is not to become a fiasco, while many who become involved in arbitrations have little idea of what to expect and how to deal with the situation.

1.4. Arbitration is a recognised and well-established means of resolving disputes, particularly in the construction industry. However, it has received scant attention in the academic training of those who, in their chosen careers or professions, may well have occasion to become involved in arbitration at one time or another - either as one of the parties seeking arbitration as a means of resolving a dispute, or even as arbitrator. Even Universities that deal with all other aspects of the law, with commendable thoroughness, appear for the most part to gloss over the subject of arbitration in a very perfunctory manner and few advocates and attorneys appear to have more than a nodding acquaintance with the subject.

1.5. This course is a distance online learning course in the sense that contact between students and tutors is primarily maintained by correspondence. However, workshops have been scheduled during the year. Students may submit questions, queries or comments to the Course and Member Manager, but they will be expected to pursue their studies in their own time and manner.

1.6. Should students withdraw from the Specialisation Course at any stage after registration and payment thereof, they will **not** be allowed a refund of the fees paid by them. This is primarily due to the fact that, once registration has taken place, students would already be in possession of the course material, which forms part of the Association's intellectual property, and a large part of the course.

1.7. While this or any similar course may give you a sound theoretical acquaintance with the subject of arbitration, there can be no substitute for practical experience. You are therefore urged to seek any opportunity that might present itself to attend an arbitration hearing.

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Fellows of the Association are often in a position to assist you in this regard, subject to confidentiality agreements.

1.8. The tutors for the entire **correspondence course** programme, including the **Certificate Course**, the **Fellowship Course** and the **Specialisation Course**, are all duly qualified and experienced **Fellows** of the Association.

1.9. The Association's Secretariat consists of Rochelle Appleton (General Manager); Mandisa Mthembu (Course and Member Manager); Michelle Venter (Financial Manager); René Vermaak (ADR Admin Manager); and Ndisha Lidzhegu (Data and IT Manager).

1.10. Mandisa is responsible for course co-ordination and bears the primary responsibility for the administration of the courses and all that this entails. It hardly needs to be said that we are all committed to ensuring that you derive the maximum benefit and enjoyment from your studies.

1.11. We all wish you every success in your undertaking.

2. APPLICATION AND LANGUAGE

2.1. The Association's **correspondence courses** are only available to **members** of the Association. As such, any person wanting to undertake the courses, who is not already a **member**, must first make application to become an **Associate** member of the Association and must meet the relevant minimum criteria for **membership** set by the Board of Directors from time to time.

2.2. The presentation of the Association's courses, all course material, notes, documentation, and correspondence will be in the English language.

2.3. Withdrawal from the Courses

2.3.1. Students who wish to withdraw from this course at any time or who do not write the exam will **not** be entitled to a refund unless finally determined otherwise in the sole discretion of the Association's Chair, Vice-chair and Treasurer jointly.

2.3.2. Students who withdraw from this course or fail to write the exam at the end of the year for whatever reason will be required to apply for this course during the following year and will be required to pay the full course fee.

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3. E-LEARNING PORTAL

3.1. The Association's **correspondence courses** will be presented exclusively through its **e-Learning Portal**, subject to personal attendance, if possible, at the compulsory workshops referred to below. Any person wanting to undertake the course may make application **online**.

3.2. Click **here** to access the **e-Learning Portal**.

3.3. Students are therefore required to have access to a stable un-interrupted Internet connection, possess the ability to use MS Word and to type in order to be able to download the course material, submit compulsory assignments, receive communications from the Association, and write the online exam.

3.4. Students must be able to undertake the course independently without assistance.

3.5. The Association's Website

The Association's **website** contains copies of the various editions of the **Rules for the Conduct of Arbitrations**, the **Domestic** and **International** Arbitration Acts, **ADR related documents** and other information including such as ***Arbitrarily Speaking!***, **judgments** and information regarding **functions**, **lectures** and **workshops**. Attendance at these events is encouraged. They are a platform for furthering your knowledge and assist you in becoming acquainted with colleagues within the Association and other ADR practitioners.

4. PROSPECTUS OF THE COURSE

Save for *Christie*, no textbook has been prescribed for this module because there is simply no elementary textbook available that covers all the aspects of this module satisfactorily. It is for this reason that students are required to study the prescribed cases and other course material that may be provided. Students are encouraged to undertake their own research regarding the subject matter of the course.

5. COURSE NOTES

Course material will be made available to students for download from the e-Learning Portal on the day after the course registration closes and may be supplemented throughout the year.

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6. ASSIGNMENTS

6.1. Students will be required to complete three written assignments during the year. **Submission of all three assignments is compulsory**. These assignments are to be submitted by no later than the dates indicated below. **No extensions of time will be granted.**

6.2. Students are required to submit comprehensive assignments, written in narrative style, which demonstrate that they have substantially addressed each question.

6.3. Due Dates for Assignments

6.3.1. All assignments must be submitted in Word format. This enables the tutor to give feedback on your scripts.

6.3.2. For students registered for this course, three assignments are required to be submitted by no later than the following dates:

ASSIGNMENT CODE	DUE DATE
M5/1	Friday **7 May 2027**
M5/2	Friday **16 July 2027**
M5/3	Thursday **23 September 2027**

6.3.3. **Assignments are compulsory** and will be marked and may be returned to students. These assignments form an important part of the course as they enable students to gauge their understanding of the subject by applying the principles which they have studied to specific problems. The assignments also provide feedback to the course tutors on the adequacy of the course notes and the prescribed textbook.

NOTE: Students are responsible for ensuring that the Association receives their assignments before or on the due date.

6.3.4. Closing dates for assignments must be strictly adhered to. The submission of all assignments is a prerequisite for exam admission. **No extensions of time will be granted.**

6.4. Instructions for Completing and Submitting Assignments

6.4.1. All assignments are to be submitted via the e-Learning Portal in Word format.

6.4.2. Students will not be able to submit an assignment after midnight on the due dates. for

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assignments. Students may submit their assignments before the due dates.

6.4.3. It would be greatly appreciated if assignments could be submitted typewritten and double spaced. If you do not have access to a computer, please write in block letters with a black pen and ensure that the scanned copy which you submit is clearly legible.

6.4.4. It is important that **only your student number appears on the assignments**. Students who submit assignments with their names written on them will not be accepted.

6.4.5. Please **DO NOT** retype a question. However, you must ensure that the question number to which the answer relates is clearly legible.

6.4.6. Each assignment will contain specific instructions and requirements. Students are advised to pay careful attention thereto.

6.5. General Comments on Assignments

6.5.1. Assignments generally require a considerable amount of thought, and often some research, and should therefore not be left to the last day before the due dates.

6.5.2. It is very important that you should read the assignment carefully and make sure that you understand what is required. Read it several times to make sure that you do not misinterpret it. Look up any unfamiliar words in a subject specific dictionary (Google is very seldom a satisfactory substitute for a subject specific dictionary). Subject terms may be defined in your course material and in the prescribed textbook. It is imperative to consult these as well. Important information is conveyed in the way in which the assignment is worded as well as through the hints and guidelines provided along with the assignment.

6.5.3. Identify exactly what the subject is and what aspects of this subject are covered by the assignment topic. To do this, you must find the keywords (i.e. the most important words) in the assignment topic. The keywords enable you to determine the focus of the assignment. Keywords can provide you with more information on the topic. The reason why you should identify keywords is that they guide you when you are reading about the topic and gathering information on the central theme.

6.5.4. In answering a question, it is important to give full reasons for your answer and, where relevant, to quote appropriate authority for your statements and conclusions. To answer a question with a 'yes' or a 'no' will earn very few marks. We are interested to know how and why you arrive at your answer. In most cases, more marks will be allocated for the argument

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and motivation of an answer than for the answer itself. The key to it all is logical reasoning[1] supported by the applicable authority.

6.5.5. The action words used in assignment and exam questions are key indicators of the kind of answers that should be given. The list below contains examples of action words that are usually found in assignment and exam questions. These words enable you to determine the focus of the assignment.

6.5.6. Based on the list below, use the action words in the assignment to determine what is expected of you.

Enumerate	Mention items or points one by one. No detail is required, and the result of an enumeration is a list of things or aspects.
Indicate	State briefly, in broad outline, without detail. An indication gives the reader the gist of the matter.
Analyse	Divide into sections or elements and discuss in full.
Define	State the precise meaning of a term as you use it in your assignment answer. The definition should ensure that the term has only one meaning and that it cannot be confused with other terms. This often implies that you will have to consider a number of definitions before arriving at a substantiated decision on the precise meaning you will attach to the term in the relevant assignment.
Distinguish	Provide definitions but also indicate similarities and differences.
Describe	Give an account of the characteristics or properties of a matter in such a way that your reader can recognise it and not confuse it with anything else. A description tells you "what it is like".
Explain	Write about the topic in such a way that the reader gains a better understanding of the important underlying facts. An explanation tells the reader "Why a thing is the way it is".
Compare	Set out how things differ from one another and in what ways they are similar. A good comparison also says, "why it is so".
Discuss	This implies that there are various explanations of, or opinions about, what you must discuss. You must state what these are and show how and why they may correspond or differ. "Discuss" often involves weighing up arguments for and against something.
Evaluate	Assess or "determine the value of" something. This implies that you should have criteria against which you can measure something; the result should be the formulation of your own opinion of the matter.

[1] Click **here** to access articles related to 'Logical Reasoning' contained in the Association's e-periodicals, *Arbitrarily Speaking!*.

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	You may approve, disapprove, or suggest a modification of whatever you have to evaluate. Evaluation usually implies comparison and should always be substantiated, based on soundly formulated reasons.
Examine	Examine and critically discuss a topic in terms of definite criteria or guidelines. Offer comments. Give your own opinion on the matter.
Point out	Present a premise logically by means of thorough reasoning.
Summarise	Give the key aspects of a topic.
Illustrate	Give examples or draw a diagram to elucidate a particular topic or subject.
Interpret	Explain or give the meaning of something in terms of a more common concept. Your explanation should be as practical as possible.
Criticise	Point out the good and bad characteristics and give your opinion after taking all the facts into account.

NOTE: Attention to these hints will not only help you to gain higher credits for your work but will, in some measure, guard against omissions and repetition and will help you in checking and redacting your work before submitting it. It will also give you a good basis for writing reasoned awards or decisions if appointed as an arbitrator or adjudicator.

6.6. Citing Sources

6.6.1. When citing textbooks, cases, articles, and so forth as an authority in your assignment answers, please note the following:

- Case law must be cited in full when used for the first time in the text (e.g. *Kanhym Bpk v Oudtshoorn Munisipaliteit* 1990 (3) SA 252 (C) at 254E-F). Thereafter an abbreviated reference is sufficient (e.g. *Kanhym*);
- The prescribed textbook may be referred to in your answer by merely giving the author's name and the page number (e.g. Snyman 20);
- Articles are referred to by citing the author's name, the journal (or its accepted abbreviation like SALJ for South African Law Journal) and the page number (e.g. Whiting 1986 SALJ 38).

6.6.2. Do not refer to sources you have not personally consulted;

NOTE: It is not necessary to provide full references in the examination.

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6.6.3. Work copied directly or paraphrased from a textbook or any other source without acknowledgement is unacceptable and constitutes plagiarism, which is an offence. Plagiarism is the act of taking the words, ideas, and thoughts of others and passing them off as your own. It is a form of theft which involves a number of dishonest academic activities.

NOTE: Even if you work in a group with other students, each member of that group should submit his or her own assignments written in his or her own words. The safest policy is for the group to discuss only the question, leaving each member to work out his or her own answer.

6.6.4. Students are encouraged to refer to the Pretoria University Law Press (PULP) Publication Style Guidelines. Click **here**[2] to download the Style Guidelines.

6.6.5. Answers which contain plagiarism will **NOT** be marked.

6.7. Internet References

6.7.1. Information obtained on the Internet is acknowledged by reference to the particular website, followed by the date when the particular website was visited. The date is important because the contents of the page on the website may subsequently change, or the particular reference or even the whole website may disappear or be moved elsewhere. It follows that, besides saving or making a printout of the particular page at the time of visiting it, you should re-check the current status of all Internet references when preparing the final version of your work for submission. Example: http://www.aol.com, last visited on 21 January 2003.

6.7.2. Be aware that the law differs from jurisdiction to jurisdiction and that the Internet is not always sensitive to this fact. Do not without good cause use, for example, an Australian legal article or judgment to substantiate a legal argument relevant to South African law.

6.8. Assignment Mark Allocation

The marks allocated to each question will indicate the approximate length of answer expected. An answer much shorter than the indicated length will probably indicate that you have not considered the implications of the question adequately, while an answer that considerably exceeds the suggested length may indicate irrelevancies, repetition, and padding.

6.9. Assignment Commentaries

6.9.1. Tutors will provide a general commentary on each of the compulsory assignments, including important points that they were looking for in the answers, and common mistakes. The

[2] **https://www.pulp.up.ac.za/**, last visited on 10 October 2026.

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commentaries should not be regarded as model answers.

6.9.2. Students must be aware that, as there is often more than one way in which a question can be answered, they should be careful not to learn the commentary on the mistaken assumption that it is a model answer.

6.9.3. It will generally not be possible for tutors to write a full critique on each answer paper and tutors will usually confine themselves to awarding a mark and giving one or two brief comments. When all the papers have been marked, however, you will receive a comprehensive report from the tutors in which they will comment on the manner in which the questions have been answered, common mistakes they have encountered, and the particular points they were looking for in the answer. Such reports or commentaries are to be regarded as essential study material.

6.10. Answering Assignments

6.10.1. Assignments are, of course, to be answered on an open book basis, i.e. when answering the questions you are expected to use your course material and whatever other appropriate reference material. When making statements in your answers you should quote relevant authority, preferably by way of a footnote. It is meaningless merely to list the authorities that you have consulted in an annexure to your assignment.

6.10.2. While every effort will be made to mark and return your answer papers to you as quickly as possible, it must be borne in mind that the process of assembling the answer papers, sending them to tutors for marking, marking them, and finally returning them will take considerable time, and you should not expect to receive your papers back in less than approximately six weeks.

6.10.3. Assignment answers are to be in English. Students are advised not to submit handwritten assignments. If this can for good reason not be avoided, handwritten assignments must be legible, otherwise they will not be marked.

6.10.4. Students must submit their assignments in .pdf format through the e-Learning Portal.

6.11. Structure of Assignments and Examination Answers

6.11.1. Plan the structure of your answers so as to:

- Deal in proper sequence with all the relevant elements of the topic; and
- Present your work in its most favourable and readable form.

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6.11.2. Number pages and paragraphs. Do not number headings. This is particularly so where it is necessary to itemise a set of principles, legal requirements or other characteristics, but the use of designated paragraphs will also improve the presentation of passages of general dissertation or debate. A phrase such as "*the following aspects of the matter are significant*" followed by a series of numbered paragraphs will improve the impact of what is written.

6.11.3. Avoid padding. The tutor or examiner will have assumed that you have the basic general knowledge of the topic and he/she is interested only in what you have to say on the specific aspect referred to. A mere repetition or paraphrase of the topic as it appears in the course notes would, therefore, give no indication of your own understanding of the topic.

6.11.4. Apart from a brief introduction to show where the particular aspect fits into the general topic, padding is an indication either of untidy thinking or of an attempt, which will not succeed, to disguise an inadequate understanding of the matter.

6.11.5. Attention to these hints will not only help you to gain higher credits for your work but will, in some measure, ensure against omissions or repetitions and help you in checking your work before submission.

7. SEMINARS AND WORKSHOPS

Booking forms giving details regarding the workshops will be sent to students, the cost of which is included in the course fee.

7.1. Compulsory Workshops

7.1.1. Online workshops, dealing with Module 5 will be held as follows:

WORKSHOP	DATE
16:30-18:30	Wednesday **14 April 2027**
16:30-18:30	Wednesday **30 June 2027**
16:30-18:30	Wednesday **8 September 2027**
16:30-18:30	Wednesday **10 November 2027**

7.1.2. The costs are included in the course fee.

7.1.3. At workshops tutors will deal with those aspects of the course which appear to give difficulty and discuss students' problems.

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7.1.4. The workshops will be interactive, and students will be required to properly contribute to the discussions.

7.1.5. It may become necessary to reschedule workshops for reasons beyond the control of the Association as has occurred in the past with the COVID-19 pandemic. Students will be advised in advance of any postponements or rescheduling of workshops.

8. ASSESSMENT

8.1. Assignment Year Mark

8.1.1. It is a compulsory requirement that a student submits all assignments in order to be admitted to write the exam.

8.1.2. The marks obtained from the assignments (the Assignment Year Mark) will count towards 20% of the Final Year Mark.

8.2. Previous Examination Papers

No previous examination papers are available for Module 5.

8.3. Final Year Mark

8.3.1. The Final Year Mark for students who pass the exam will be made up as follows:

(20% of Assignment Year Mark) + (80% of the Examination Final Results).

8.3.2. Students who pass the exam and obtain a Final Year Mark of more than 50% will receive an appropriately inscribed certificate which will be presented to students during the Association's Annual General Meeting.

8.3.3. Students who obtain a Final Year Mark of less than 50%, notwithstanding having passed the exam, will have to repeat the relevant module.

9. EXAMINATIONS

9.1. Examinations will be held online via the e-Learning Portal. Students are expected to have the necessary technological resources, including a stable uninterrupted Internet connection and possess the ability to type the answers to the exam questions themselves. Students will not be permitted to have any assistance whatsoever in writing the exams.

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9.2. A number of you will be contemplating the examinations with some trepidation. This is perhaps understandable, as many of you will not have written an examination for many years and you would like to know what to expect and how to prepare yourself for it. The workshops are designed to assist in this regard.

NOTE: **There will be no supplementary oral or written exams.**

9.3. Examination Admission

9.3.1. A student is required to submit all assignments in order to be admitted to write the exam. Students are required to obtain a minimum of 40% for each assignment and an average mark of at least 45% for all the assignments for purposes of exam admission.

9.3.2. Students who have complied with the requirements to write the examinations for Module 5 will be advised of the venue/s of such examinations.

9.3.3. There is no additional fee involved for writing the examinations.

9.4. Written Examination Dates and Times

9.4.1. One **open book** examination will be held as follows:

Monday **22 November 2027** 09:00 – 14:00

NOTE: Kindly note these dates in your diary now. **There will be no supplementary examinations and no time extensions will be granted.**

9.4.2. The exam date and time is fixed and cannot be changed for any reason whatsoever.

9.5. Format

9.5.1. The exam paper will consist of a variety of short and essay type questions designed to test your knowledge and understanding of the subject. The questions will test both your understanding and knowledge so that we will be able to establish your general understanding of the course material and whether or not you are able to apply what you have learnt in your studies.

9.5.2. Thus, while some of the questions will relate directly to material in your course notes and the prescribed textbook, certain of the questions will ask you to apply the principles and techniques that you have learnt to particular practical situations.

9.5.3. The exam is an **open book** examination and students will be allowed to bring any course

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material, notes, books etc. into the examination. Students will be expected to have a working knowledge of both the **Arbitration Act 42 of 1965** and the Association's **Rules for the Conduct of Arbitrations**. Students will not be provided with copies of these in the exam.

9.6. Examination Technique

9.6.1. Please read the questions carefully. It is not our policy to set trick questions. However, like in arbitral practice, a shade of meaning in a question may make an essential difference to the answer.

9.6.2. Be sure that you understand exactly what the examiner is asking before you start to answer the question. See also Section 6.11 [*Structure of Assignments and Examination Answers*] above on the structure of answers.

9.6.3. The reasons for your answers are as important as the answers themselves. Sometimes it will not be very difficult to guess the right answer but to give the right answer for the wrong reasons, or for no reason at all, will not earn you many marks.

9.6.4. No doubt you will discover that in law and in aspects of arbitration as well, the answer to a particular problem or situation may be very uncertain and indeterminate and the reasons, for and against a particular point of view, then become all-important.

9.6.5. Gauge the amount of time that you will need to spend on each question and hence the likely length of each answer from the number of marks allocated to the various questions. If a considerable number of marks have been allotted to a seemingly simple and short problem then, clearly, the examiner is seeking a fair amount of detail in your answer. On the other hand, please do continue writing after you have provided a satisfactory answer.

9.6.6. Padding will not earn you any extra marks. It may serve to alienate the marker who will have a considerable number of scripts to mark. A short, concise, clearly thought out and expressed answer will earn more marks than a lengthy, woolly, rambling exposition.

9.6.7. Do not waste time rewriting the contents of clauses which may be applicable to the question being answered. Refer to the appropriate clause and then deal with the application thereof, that is, for example, stating concisely what is required to be done and what the consequences are for failing to comply.

9.6.8. Similarly, do not waste time restating the question word for word in your answer. Extract and analyse the relevant issues.

9.6.9. Have mercy on the marker who will have to decipher your handwriting. Please write as

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clearly and legibly as possible and, if your writing is at all large or untidy, we suggest that you write on every alternate line of your answer book.

9.6.10. You would have gathered from the above that an essential part of this course is to learn and practise the discipline required to:

- Identify the relevant issues from the factual scenarios provided;
- Identify the legal principles applicable to such issues; and
- Draft your answers clearly, logically, and concisely, explaining your reasons in each case and dealing with any alternative answers which might also be applicable.

9.7. Preparing for the Examination

Remember that the Faculty will be seeking to evaluate your understanding of facts and principles, your ability to remember facts accurately and, most importantly, to convey the aforesaid in a logically reasoned manner in proper English. Read with understanding and do not confine your reading to the course material, course notes and the prescribed textbook but consult the various authorities to which reference may be made. You will not be expected to remember and quote the names of a wide variety of decided cases or the utterances of learned authorities in support of your answers. However, reference to one or two of the best-known of these may impress the examiner and earn a bonus mark or two (e.g. reference to the *B K Tooling* case when discussing the abatement of the contract price because the performance, although usable, is defective).

9.8. Examination and Final Results

Students will be notified by the Course and Member Manager of their results as soon as they become available, but no earlier than February 2028.

9.9. Assignment Submission, Workshop, Exam Dates, Etc.

9.9.1. Students are reminded to take note of and diarise the dates for assignments, workshops and exams as these must be adhered to. No exemptions will be considered.

9.9.2. Students who are undertaking courses, studies etc. other than those offered by the Association must ensure that they take note of the dates for assignments and exams. No clash of dates will be considered as exceptional circumstances or sufficient grounds for any exemption sought by a student.

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10. STUDY GROUPS

10.1. Students who form study groups with other students, even if they are very small in size, must keep in mind that they must submit their own work when submitting assignments. Identical/substantially similar answers are not acceptable. This may lead to penalisation and/or disciplinary action. Working together includes a discussion of the assignment questions but does not mean copying another student's answers or any part of the answers.

10.2. The Association respects the privacy of students and is precluded under the POPI Act 4 of 2013 from disclosing any names or contact details of students on a course to other students. Accordingly, the Association will not be involved in any manner in the formation or activities of study groups.

11. PROBLEMS AND QUERIES

11.1. An inevitable consequence of distance learning is that it is difficult to achieve a personal relationship between student and tutor and to provide the facility for a student to consult the tutor about any difficulties the student may be experiencing.

11.2. It must be remembered that the tutors are all actively engaged in their respective professions. Their time is strictly limited.

11.3. If you have any problem in connection with your studies, you are required to submit it briefly but clearly in writing, together with your student number and e-mail address to the Course and Member Manager (**coursecoordinator@arbitrators.co.za**). The Course and Member Manager will direct it to one of the tutors to deal with.

11.4. The workshops provide an ideal opportunity for students to raise queries and problems with their tutors.

12. PLAGIARISM

12.1. The Association places great emphasis on integrity and ethical conduct in students' preparation of assignments. These are fundamental qualities which any aspiring arbitrator must possess.

12.2. Students must be alert to the use of secondary material and the correct method which must be used in presenting and acknowledging reference.

12.3. Students who submit assignments in which they do not acknowledge the use of secondary

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material (plagiarism) will be viewed in a serious light and it may have unpleasant consequences.

12.4. **No** marks will be awarded for assignment or exam answers in which plagiarism is evident.

12.5. Plagiarism includes:

- Texts which are copied by students out of a book or an article or from a website, without acknowledging the source, and pass it off as their own;
- Presenting the work of a current or former student of the Association as one's own;
- Paraphrasing material (i.e. change the wording slightly) or use someone else's line of argument without acknowledging it.

12.6. Students normally complain that they cannot rewrite the study material in their own words. You need to get used to this since you might not have your study material on hand during the examinations and, in arbitral practice, you will rarely have applicable study material on hand to fall back on. The following is a simple guide as to how this problem can be addressed:

- Study the relevant course material until you understand it. While you are reading the material, make notes or lists of the key words and concepts;
- Put away your course material and summarise the portion under consideration in your own words by using your notes and a list of key words;
- Use the course material to finalise your summary with references to case law and other relevant authorities.

12.7. Students can obtain assistance in correctly acknowledging authorities from the **PULP Publication Style Guidelines**. referred to in Section 6.6 [*Citing Sources*] above.

12.8. The rules regarding plagiarism apply equally to assignment and exam answers.

13. COPYRIGHT

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As **members**, students are subject to the Association's **Code of Ethics** and are expected to interact with staff of the Association, tutors and fellow students with decorum. Discrimination, verbal and written abuse will not be tolerated. Disciplinary action will be taken against students who behave improperly.

We wish you success with your studies and look forward to meeting you during the course of the year.

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