INSTRUCTIONS:

1. Students are requested, in their own interests, to write legibly.
2. This paper consists of THREE (3) pages. Please ensure that you have them all.
3. All questions are compulsory and must be answered.
QUESTION 1

Discuss and distinguish between the "eiusdem generis" and "expressio unius est exclusion alterius" maxims with reference to relevant case law.

[TOTAL Q1: 20 MARKS]

QUESTION 2

Briefly describe the following internal and external aids which can be used in interpreting statutes. Reference to relevant case law must be referred to in your answer.

a. The Preamble; [5 Marks]

b. The Long title; [5 Marks]

c. Headings; [5 Marks]

d. Schedules. [5 Marks]

[TOTAL Q2: 20 MARKS]
QUESTION 3

Critically discuss the approach of the Constitutional Court in the case of Daniels v Campbell and Others 2004 (5) SA 331 (CC), in the interpretation of the word "spouse" with regard to the Maintenance of Surviving Spouses Act 27 of 1990 and the Intestate Succession Act 81 of 1987.

[TOTAL Q3: 20 MARKS]

QUESTION 4

a. Explain the corrective techniques of interpretation of law known as "severance".

[5 Marks]

b. In National Coalition for Gay and Lesbian Equality v Minister of Home Affairs 2000 (2) SA 1 (CC), the Constitutional Court laid down a number of factors/principles to be followed before "reading-in" can be applied. These factors/principles also apply to severance. List these factors/principles.

[5 Marks]

[TOTAL Q4: 10 MARKS]

TOTAL FOR PAPER: 70 MARKS