



FACULTY	HEALTH SCIENCES AND VETERINARY MEDICINE
SCHOOL	ALLIED HEALTH SCIENCES
DEPARTMENT	PSYCHOLOGY & SOCIAL WORK
COURSE	SOCIAL WELFARE LAW B
COURSE CODE	A3652SL
DATE	OCTOBER/NOVEMBER 2024
DURATION	3 HOURS
MARKS	100

FIRST OPPORTUNITY EXAMINATION PAPER

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External Moderator: Dr. C. Gunhidzirai

INSTRUCTIONS

1. Answer **ALL** the questions.
2. Work in an orderly way and present your work as neatly as possible.
3. Number your questions correctly and clearly.
4. This paper consists of 3 pages, including the cover page.

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QUESTION 1

Cassie who lives in Windhoek has been married to Jones since March 2018. Between 2020 and 2023 Jones worked in the London office of his employer. During Freddie's absence, Cassie had an extramarital affair with Freddy and even though she did not "officially" move in with him would spend most of her time at his place. Things however did not work out between Cassie and Freddie and they broke up. Upon his return to Namibia, Jones learns of Cassie's extra-marital affair and wants a divorce.

- 1.1 Describe to Jones the **FOUR (4)** common law grounds for divorce in Namibia. (12)
- 1.2 Explain to Jones the type of court proceeding he needs to institute for the divorce action. (2)
- 1.3 In which court will his case be heard and why? (3)
- 1.4 Discuss the **THREE (3)** actions Jones may initiate against Freddy for interfering with their marriage relationship. (6)
- 1.5 Discuss **FIVE (5)** fundamental differences regarding the consequences of marriage (Cassie & Jones) and that of extra-marital cohabitation (Cassie & Freddie). (10)
- 1.6 Explain to Jones the marital regime under which they are married and the consequences when the marriage comes to an end. (10)
- 1.7 Differentiate between a void and voidable marriage. (7)

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QUESTION 2

- 2.1 Discuss civil marriages under the following headings:
 - 2.1.1 Definition of marriage (5)

- 2.1.2 The legal requirements for a valid civil marriage (20)
- 2.2 Describe the following invariable consequences of a civil marriage:
- 2.2.1 The Status of the Parties (5)
 - 2.2.2 Consortium Omnis Vitae (5)
 - 2.2.3 Spousal Maintenance (5)
 - 2.2.4 The Matrimonial Home (5)

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TOTAL: 100