

**MEMORANDUM / MARKING GUIDELINE**

**JUNE 2011 EXAMINATION**

**SECTION A**

**QUESTION 1**

Which of the following statements are true with regard to shareholders?

- (i) When a person becomes a shareholder of a company he/she acquires the automatic right to participate in the management of the company.
  - (ii) When a person becomes a shareholder of a company he/she automatically acquires the right to vote in the general meeting of members of the company.
  - (iii) It is typically the executive directors who are responsible for the day-to-day running of the company.
- A. None of the statements are true;  
B. All of the statements are true;  
**C. (ii) and (iii) only**  
D. (i) and (ii) only  
E. (iii) only

**QUESTION 2**

In the case of *Clutchco (Pty) Ltd v Davis* 2005 (3) SA 486 (SCA), the following legal principles were established:

- (i) A shareholder does not have the right to see the minutes of directors' and managers' meetings;
  - (ii) A shareholder does not have the automatic right to inspect the company's accounting records;
  - (iii) A shareholder is entitled to receive a copy of the company's annual financial statements.
- A. **All of the above legal principles were established in the case;**  
B. None of the above legal principles were established in the case;  
C. (i) only  
D. (ii) only  
E. (ii) and (iii) only.

**QUESTION 3**

Anton is an internal auditor for ABSURE Ltd. Which of the following statements with regard to the position of the auditor are correct?

- (i) Anton is an employee of ABSURE Ltd
  - (ii) Anton will be held accountable to ABSURE Ltd in terms of his contract of employment.
  - (iii) Anton can be tasked with advising ABSURE Ltd of the most efficient means of doing business.
  - (iv) Anton may serve in the position of internal auditor for as long as he and ABSURE Ltd wish with no time period being stipulated by statute.
- A. (i) only  
B. None of the statements are correct  
**C. All of the statements are correct**  
D. (iii) only  
E. (ii) and (iii) only

**QUESTION 4**

Which statement(s) is/are true regarding the Appellate Division decision in *International Shipping v Bentley* 1990 (1) SA 680 (A)?

# Statute Law Question Paper And Memorandum 2013

**Thomas Giddens**



## **Statute Law Question Paper And Memorandum 2013:**

**Question & Answer Constitutional and Administrative Law** Christopher W. Taylor, Dr Chris Taylor, 2019

Corporate Laws (For B.Com (Hons.), Sem.-2, Utkal University, Odisha) Bansal Vandana/ Arora Anjali & Rath J.P., This book presents the subject matter tailor made for the latest syllabus according to CBCS Odisha to enable its students to study the course material through a single book without having to refer to multiple sources and comprehend the subject in simple understandable language **KEY FEATURES** Covers the syllabus of CBCS Odisha Explains complicated provisions in easily comprehensible language with the help of illustrations and analogies Quotes Indian cases at appropriate places with a view to ensure necessary authenticity and clarity on the subject Includes model question papers **BRICS and International Tax Law** Peter Antony Wilson, 2016-04-24 With the ongoing expansion of outbound foreign direct investment FDI in the countries representing the BRICS economic bloc Brazil Russia India China and South Africa and with all of them at the same time listed among the top seven countries plagued by tax evasion and avoidance in the guise of illicit out flows the governments both individually and through cooperative initiatives have devised new international tax strategies that are proving to be of great interest and value to other countries both developing and developed The core of these strategies addresses the necessity of stemming the out flow of revenue while strongly supporting FDI both inbound and outbound while complying with international obligations including those arising from human rights laws This book is the first in depth commentary on this new and evolving area of international tax law The detailed analysis covers the entire field of BRICS international tax law considering topics such as the following information exchange procedures and pitfalls response to the OECD's Base Erosion and Profit Sharing BEPS initiative role of bilateral and multilateral double taxation conventions including the Multilateral Instrument and the Bilateral Investment Treaties thin capitalization transfer pricing controlled foreign corporation rules shortcomings related to authorities limited manpower international audit and investigation procedures the BRICS approach to residence and mandatory and binding arbitration and the BRICS approach to shaping the developing world's international tax system Notably the author personally conducted interviews with senior international representatives of the BRICS tax authorities as well as with leading BRICS academics and practitioners Tax cases together with human rights and investment cases and administrative guidelines in all five countries are also included in the analysis The study concludes with recommendations for improving each of the five countries tax law and procedures especially in the area of dispute resolution The author's goal is to extend the existing body of knowledge of the BRICS international tax laws in order to assist in developing an understanding of the BRICS approach to dealing with evasion and avoidance an approach which facilitates both outbound and inbound FDI simplifies tax authority administration and establishes a basis for resolving international disputes which is compatible with sovereignty In achieving this objective the author has produced a major work that is of immeasurable value to tax advisers government and governance officials academics and researchers both in

developing international taxation strategies and in helping to resolve disputes with tax authorities      *Taxmann's CRACKER for Business Laws & Business Correspondence and Reporting (Paper 2 | BLBCR) - Covering past exam questions & detailed answers | CA Foundation | Dec. 2023 Exams* Dr. S.K. Agrawal, CA Manmeet Kaur, 2023-07-22 This book is prepared exclusively for the Foundation Level of Chartered Accountancy Examination requirement It covers the latest syllabus as per ICAI The Present Publication is the 8th Edition for CA Foundation Dec 2023 exams This book is authored by Dr S K Agrawal CA Manmeet Kaur with the following noteworthy features As per the latest syllabus of ICAI Coverage of this book includes o All Past Exam Questions including CA Foundation Solved Paper June 2023 o Theoretical Questions o Short Notes o Case Studies o Practice Questions in Business Correspondence Reporting Most Amended Updated This book covers all the latest applicable amendments Marks Distribution Chapter wise marks distribution from May 2018 onwards Contents of this book are as follows Part A Business Laws o Indian Contract Act 1872 o Sale of Goods Act 1930 o Indian Partnership Act 1932 o Limited Liability Partnership Act 2008 o Companies Act 2013 Part B Business Correspondence Reporting o Communication o Sentence Types Word Power      *The Drone Memos* Jameel Jaffer, 2010-01-12 A trenchant summation and analysis of the legal rationales behind the US drone policy of targeted killing of suspected terrorists including US citizens Publishers Weekly starred review In the long response to 9 11 the US government initiated a deeply controversial policy of targeted killing the extrajudicial execution of suspected terrorists and militants typically via drones A remarkable effort was made to legitimize this practice one that most human rights experts agree is illegal and that the United States has historically condemned In *The Drone Memos* civil rights lawyer Jameel Jaffer presents and assesses the legal memos and policy documents that enabled the Obama administration to put this program into action In a lucid and provocative introduction Jaffer who led the ACLU legal team that secured the release of many of the documents evaluates the drone memos in light of domestic and international law He connects the documents legal abstractions to the real world violence they allow and makes the case that we are trading core principles of democracy and human rights for the illusion of security A careful study of a secretive counterterrorism infrastructure capable of sustaining endless orderless war this book is profoundly necessary Katrina vanden Heuvel editor and publisher of *The Nation*      *Parliaments and Human Rights* Murray Hunt, Hayley J Hooper, Paul Yowell, 2015-04-30 In many countries today there is a growing and genuinely held concern that the institutional arrangements for the protection of human rights suffer from a democratic deficit Yet at the same time there appears to be a new consensus that human rights require legal protection and that all branches of the state have a shared responsibility for upholding and realising those legally protected rights This volume of essays tries to understand this paradox by considering how parliaments have sought to discharge their responsibility to protect human rights Contributors seek to take stock of the extent to which national and sub national parliaments have developed legislative review for human rights compatibility and the effect of international initiatives to increase the role of parliaments in relation to human rights They also consider the

relationship between legislative review and judicial review for human rights compatibility and whether courts could do more to incentivise better democratic deliberation about human rights Enhancing the role of parliaments in the protection and realisation of human rights emerges as an idea whose time has come but the volume makes clear that there is a great deal more to do in all parliaments to develop the institutional structures processes and mechanisms necessary to put human rights at the centre of their function of making law and holding the government to account The sense of democratic deficit is unlikely to dissipate unless parliaments empower themselves by exercising the considerable powers and responsibilities they already have to interpret and apply human rights law and courts in turn pay closer attention to that reasoned consideration I believe that this book will be of enormous value to all of those interested in human rights in modern legislatures and the relationship between the two As this is absolutely fundamental to the character and credibility of democracy academic insight of this sort is especially welcome This is an area where I expect there to be an ever expanding community of interest From the Foreword by the Rt Hon John Bercow MP Speaker of the House of Commons      Media Law in Australia Lesley Hitchens AM, 2024-12-20 Derived from the renowned multi volume International Encyclopaedia of Laws this analysis of media law in Australia surveys the massively altered and enlarged legal landscape traditionally encompassed in laws pertaining to freedom of expression and regulation of communications Everywhere a shift from mass media to mass self communication has put enormous pressure on traditional law models An introduction describing the main actors and salient aspects of media markets is followed by in depth analyses of print media radio and television broadcasting the Internet commercial communications political advertising concentration in media markets and media regulation Among the topics that arise for discussion are privacy cultural policy protection of minors competition policy access to digital gateways protection of journalists sources standardization and interoperability and liability of intermediaries Relevant case law is considered throughout as are various ethical codes A clear comprehensive overview of media legislation case law and doctrine presented from the practitioner s point of view this book is a valuable time saving resource for all concerned with media and communication freedom Lawyers representing parties with interests in Australia will welcome this very useful guide and academics and researchers will appreciate its value in the study of comparative media law      *Environmental Integration in Competition and Free-Movement Laws* Julian Nowag, 2016-11-10 Environmental Integration in Competition and Free Movement Laws engages in a comprehensive analysis of the obligation of Article 11 TFEU integration of environmental protection requirements in the three core areas of EU internal market law competition state aid and free movement It develops a theoretical framework for integrating environmental and other policies and compares how environmental integration takes place within competition state aid and free movement law In turn it paves a way for a more transparent and consistent integration of environment protection in these three core areas of law Structured in three parts this volume I offers a detailed analysis of the historical development of environmental integration including discussions of the various

intergovernmental conferences which led to a number of Treaty changes shaping the obligation itself II It investigates which provisions and concepts within competition law state aid law and the market freedoms can be interpreted in order to provide a clear demarcation of environmental protection and these areas of law III It analyses how competition state aid and free movement law allow for a balancing of the environment against restrictions in cases of conflict *Graphic Justice* Thomas Giddens,2015-03-24 The intersections of law and contemporary culture are vital for comprehending the meaning and significance of law in today s world Far from being unsophisticated mass entertainment comics and graphic fiction both imbue our contemporary culture and are themselves imbued with the concerns of law and justice Accordingly and spanning a wide variety of approaches and topics from an international array of contributors *Graphic Justice* draws comics and graphic fiction into the range of critical resources available to the academic study of law The first book to do this *Graphic Justice* broadens our understanding of law and justice as part of our human world a world that is inhabited not simply by legal concepts and institutions alone but also by narratives stories fantasies images and other cultural articulations of human meaning Engaging with key legal issues including copyright education legal ethics biomedical regulation and legal personhood and exploring critical issues in criminal justice and perspectives on international rights law and justice all through engagement with comics and graphic fiction the collection showcases the vast breadth of potential that the medium holds *Graphic Justice* will be of interest to academics and postgraduate students in cultural legal studies law and the image law narrative and literature law and popular culture cultural criminology as well as cultural and comics studies more generally *European Consumer Access to Justice Revisited* Stefan Wrba,2015 This book asks what is European consumer access to justice and how we can improve it by means of procedural and substantive laws [CA Foundation Paper II - Business Laws](#) Mr. Rohit Manglik,2024-03-24 Key business laws including contracts and company regulations Focuses on legal frameworks for business operations equipping students for compliance and CA Foundation law exams [Yale Law Journal: Volume 124, Number 6 - April 2015](#) Yale Law Journal,2015-04-17 The contents of Yale Law Journal s April 2015 issue Volume 124 Number 6 include Article The Constitutional Duty To Supervise by Gillian E Metzger Article Architectural Exclusion Discrimination and Segregation Through Physical Design of the Built Environment by Sarah Schindler Feature Fifty Attorneys General and Fifty Approaches to the Duty To Defend by Neal Devins Saikrishna Bangalore Prakash Note Executive Orders in Court by Erica Newland Comment Stare Decisis and Secret Law On Precedent and Publication in the Foreign Intelligence Surveillance Court by Jack Boeglin Julius Taranto Quality ebook formatting includes fully linked footnotes and an active Table of Contents including linked Contents for all individual Articles Notes and Essays proper Bluebook formatting and active URLs in footnotes **Sessional Papers Printed by Order of the House of Lords: Minutes of Proceedings ... Public Bills ... Reports from Committees ... Miscellaneous** Great Britain. Parliament. House of Lords,1958 Includes lists of orders rules bills etc [Parliamentary Debates](#) India. Parliament. Rajya

Sabha,2013-08      Legal and Regulatory Aspects of Bank - JAIIB Exam (Paper 3) | 5 Full-length Mock Tests With Detailed Solutions EduGorilla Prep Experts,2022-08-03 Best Selling Book for Legal and Regulatory Aspects of Bank JAIIB Exam Paper 3 with objective type questions as per the latest syllabus given by the IIBF Compare your performance with other students using Smart Answer Sheets in EduGorilla s Legal and Regulatory Aspects of Bank JAIIB Exam Paper 3 Practice Kit Legal and Regulatory Aspects of Bank JAIIB Exam Paper 3 Preparation Kit comes with 5 Full length Mock Tests with the best quality content Increase your chances of selection by 14X Legal and Regulatory Aspects of Bank JAIIB Exam Paper 3 Prep Kit comes with well structured and 100% detailed solutions for all the questions Clear exam with good grades using thoroughly Researched Content by experts      **New Labour Laws in Old Member States** Rebecca Zahn,2017-05-11 This book compares the ways in which trade unions in five EU member states have responded to increased migration      **The Royal Prerogative and Constitutional Law** Noel Cox,2020-08-31 This book examines the royal prerogative in terms of its theory history and application today The work explores the development of the royal prerogative through the evolution of imperial government and more recent structural changes in the United Kingdom and elsewhere in the Commonwealth While examining specific prerogative powers the development of justiciability of the prerogative and the exercise of the prerogative it lays bare the heart of constitutionality in the Westminster system of government There is said to be a black hole of unaccountable authority at the heart of the constitution and it is this which this book examines The focus is upon the constitutional development of the United Kingdom and the old dominions of Canada Australia and New Zealand This approach is comparative and historical using specific case studies of such events as the dissolution of Parliament and the appointment and dismissal of Prime Ministers The book will be of interest to academics and researchers working in the areas of Constitutional Law and Politics      *Harvard Law Review: Volume 128, Number 6 - April 2015* Harvard Law Review,2015-04-10 The Harvard Law Review April 2015 is offered in a digital edition Contents include the annual Developments in the Law survey of a particular area of legal concern this year s topic is Policing Other contents include Article Consent Procedures and American Federalism by Bridget Fahey Essay Anticipatory Remedies for Takings by Thomas W Merrill Book Review How a Lawless China Made Modern America An Epic Told in Orientalism by Carol G S Tan Specific subjects studied in Developments in the Law Policing are Policing and Profit Policing Students Policing Immigrant Communities and Considering Police Body Cameras In addition the issue features student commentary on Recent Cases including such subjects as the business judgment rule and mergers whistleblowing under Dodd Frank and extraterritoriality senate redistricting in New York postmortem rights of publicity standing and overlap of various tests used informing one who pleads No Contest of collateral consequences exceptions to New York marriage license requirement for out of state marriages exclusionary rule for violations of Posse Comitatus restrictions and extending federal forced labor statute to conduct criminalized under state law Finally the issue features several summaries of Recent Publications The Harvard Law

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