

CRW1501 EXAM PREP BY SW MATAMELA

As far as legislation as a source of criminal law is concerned, there is one place of legislation that is more important than all others, namely:

- A. English law
- B. Common law
- C. Roman-Dutch law
- D. The Constitution of the Republic of South Africa, 1996

The contents of the common law can be found in primary sources, such as :

- A. acts of law or legislation
- B. customary law
- C. the Constitution of the Republic of South Africa, 1996
- D. the writings of the Roman- Dutch authors

According to the principle of legality, a court can convict and punish an accused for a crime only if the conduct:

- A. is recognised by the statutory or common law as a crime
- B. is a new form of conduct created by the court
- C. is a form of conduct without a penalty attached to its commission
- D. is recognised by the common law as a crime

Does the following law comply with the principle of legality? Parliament enacts a new law which provides that it is a crime if a person does not behave properly in public and that anyone convicted under this law will be subject to a fine of R1000.

- A. The law does not comply with the principle of legality since it conflicts with the prohibition against retrospectivity
- B. The law does not comply with the principle of legality because it is vaguely formulated
- C. The law complies with all the rules in the principle of legality
- D. The law complies with the principle of legality despite the low fine prescribed

An omission in criminal law is sometimes referred to as :

- A. Positive conduct on the part of X
- B. A commission on the part of X
- C. Negative conduct or a failure to act on the part of X
- D. An act on the part of X

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