



NOVEMBER 2013 EXAMINATION

DATE: 5 NOVEMBER 2013

TIME: 14H00 – 17H00

TOTAL: 100 MARKS

DURATION: 3 HOURS

PASS MARK: 40%

(AG-06)

ADMINISTRATIVE PRACTICE 1

THIS EXAMINATION PAPER CONSISTS OF 4 SECTIONS:

<u>SECTION A:</u>	CONSISTS OF:	
	(i) 10 MULTIPLE-CHOICE QUESTIONS	(10 MARKS)
	(ii) 5 TRUE OR FALSE QUESTIONS	(10 MARKS)
	(iii) 10 MATCHING-STATEMENT QUESTIONS	(10 MARKS)
	ANSWER <u>ALL</u> THE QUESTIONS	
<u>SECTION B:</u>	CONSISTS OF 2 SHORT QUESTIONS	
	ANSWER <u>BOTH</u> QUESTIONS	(10 MARKS)
<u>SECTION C:</u>	CONSISTS OF 6 LONG ANSWER QUESTIONS	
	ANSWER <u>ALL</u> THE QUESTIONS	(40 MARKS)
<u>SECTION D:</u>	CONSISTS OF 3 INTERPRETATIVE QUESTIONS	
	ANSWER <u>ANY ONE</u> OF THE QUESTIONS	(20 MARKS)

INSTRUCTIONS:

1. Read the following instructions *carefully* before answering the paper, as failure to act upon them will result in a loss of marks.
2. Write your answers in your answer book, which is provided in the exam.
3. Ensure that your name and student number are clearly indicated on your answer book.
4. Write your answers in either blue or black ink in your answer book.
5. Read each question very carefully before you answer it and number your answers *exactly* as the questions are numbered.
6. Begin with the question for which you think you will get the best marks.
7. Note the mark allocations for each question – give enough facts to earn the marks allocated. Don't waste time by giving more information than required.
8. You are welcome to use diagrams to illustrate your answers.
9. Please write neatly – we cannot mark illegible handwriting.
10. Any student caught cheating will have his or her examination paper and notes confiscated. The College will take disciplinary measures to protect the integrity of these examinations.
11. If there is something wrong with or missing from your exam paper or your answer book, please inform your invigilator immediately. If you do not inform your invigilator about a problem, the College will not be able to rectify it afterwards, and your marks cannot be adjusted to allow for the problem.
12. This paper may be removed from the examination hall *after* the examination has taken place.

SECTION A**(30 MARKS)****ANSWER ALL THE QUESTIONS****(i) MULTIPLE-CHOICE QUESTIONS**

Choose the correct option for each of the following. Write only the question number and your chosen answer. For instance, if you think that the correct answer for number 1 is (a), then write it as 1. (a).

1. A meeting may be defined as:
 - (a) the gathering together of at least five or more persons.
 - (b) a get-together of directors.
 - (c) the lawful assembly of at least fifty people in a private place.
 - (d) the lawful assembly or coming together of two or more persons.

2. Private meetings include:
 - (a) the meetings of voluntary associations such as clubs, societies, and associations.
 - (b) the meetings of at least fifty people.
 - (c) all public meetings that have been advertised in the press.
 - (d) a meeting held away from the company head-office.

3. Postponement is:
 - (a) the act of closing a meeting by the convening body.
 - (b) changing the venue of a meeting before it is held.
 - (c) to suspend a meeting because of rowdiness.
 - (d) the act of deferring the date of the meeting, before it is held, by the convening body.

4. The term 'committee' means an individual or a body:
 - (a) who is paid to attend a meeting with other people.
 - (b) to whom a particular matter or a group of specific matters is referred for investigation and report.
 - (c) who is appointed by law to govern a population.
 - (d) who is committed to a specific cause.

5. A 'point of order' may be raised:
 - (a) with due notice and motion and the debate is not interrupted.
 - (b) without notice or motion and the debate is interrupted.
 - (c) when a speaker is silent for at least two minutes.
 - (d) only at the close of a meeting.

6. If any error is discovered in the minutes of a meeting the correct procedure is as follows:
- (a) At any stage it may be corrected by the secretary.
 - (b) Only after the minutes are signed should the incorrect portion be ruled out, the correct portion inserted and the alteration signed by the chairman. The fact of the alteration should also be minuted.
 - (c) Before the minutes are signed, the incorrect portion should be ruled out, the correct portion inserted and the alteration signed by the chairman. The fact of the alteration should also be minuted.
 - (d) Nothing can be done and the incorrect minutes must be accepted.
7. Publication means communication:
- (a) in any form and it must be made to a person other than the injured party.
 - (b) must be made to a person other than the injured party in writing.
 - (c) in any form (except electronically) and it must be made to a person other than the injured party.
 - (d) orally to all members present at a private meeting.
8. The importance of an AGM of a company is:
- (a) that shareholders are not expected to raise any concerns.
 - (b) that the directors are confronted by the shareholders to whom they must report the results of their control over the operations of the company for the previous accounting period.
 - (c) to ensure that the fees paid to the directors are within prescribed limits.
 - (d) to appoint as permanent staff members all who have been working as casuals in the past year.
9. Annual financial statements and group annual financial statements must:
- (a) be approved by the directors.
 - (b) be approved by the auditors only.
 - (c) be approved by the shareholders at a special meeting.
 - (d) need to be drafted in accordance with the instructions of the chairman.
10. Dissolution of a meeting is the:
- (a) postponement of a meeting to a later date.
 - (b) retrenchment of all the committee members.
 - (c) temporary suspension of a meeting.
 - (d) bringing of a meeting to an end so that it no longer exists.
- [10]

(ii) TRUE OR FALSE QUESTIONS

Indicate whether the following statements are True or False. Motivate all your answers.

1. The lawful violation of the right of a person to the exclusive use of his or her property is a trespass.
2. A meeting is not correctly constituted unless a properly appointed person is in the chair, and a meeting conducted in these circumstances is invalid.
3. The fact that there is no properly appointed secretary at the meeting will invalidate the proceedings.
4. A motion can be put to a meeting without any intervention by the chairman.
5. Any motion which seeks to contravene the regulations will, if accepted by the meeting, be *valid*.

[5 × 2 = 10]

(iii) MATCHING-STATEMENT QUESTIONS

Match the statements in Column B to the terms in Column A. Write down the answers only, for example 1. (a).

Column A	Column B
1. quorum	(a) that is outside the scope of the meeting
2. <i>ultra vires</i> of the meeting	(b) deliberately introduced to interrupt discussions
3. <i>sine die</i>	(c) that protection that the law gives in respect of words spoken or statements written in the course off duty
4. a seditious statement	(d) the Afrikaans equivalent of CC
5. dilatory motions	(e) checks the financial books of a CC
6. privilege	(f) changes the wording of the original motion
7. BK	(g) for an indefinite period
8. amending motion	(h) does not recognise the existence of the original motion
9. counter motion	(i) advocates unlawful action or propaganda directed against the state
10. accounting officer	(j) is defined as the minimum number of persons, as provided in the rules of the body, who must be present before business can validly be conducted

[10]

[30]

SECTION B: SHORT QUESTIONS

(10 MARKS)

ANSWER BOTH QUESTIONS

QUESTION 1

List six matters you would attend to in preparing for a meeting.

[6]

QUESTION 2

What happens in a meeting if the votes are equal?

[4]

[10]

SECTION C: LONG ANSWER QUESTIONS

(40 MARKS)

ANSWER ALL THE QUESTIONS

QUESTION 1

Explain what 'proper convening' of a meeting means. [8]

QUESTION 2

Describe the methods that may be used to distribute notice of a forthcoming meeting. [7]

QUESTION 3

Explain what is meant by the words 'A motion shall be duly proposed and seconded'. [8]

QUESTION 4

Differentiate between a poll and a show of hands. [5]

QUESTION 5

Itemise what the secretary should take particular note of in a meeting for inclusion in the minutes. [8]

QUESTION 6

Explain what should happen if a company has found that it is unable to pay its debts in the short term. [4]

[40]

SECTION D: INTERPRETATIVE QUESTIONS

(20 MARKS)

ANSWER ANY ONE OF THE QUESTIONS

QUESTION 1

Chairpersons have specific powers and duties. Discuss the principal powers and duties of a chairperson.

[20]

OR

QUESTION 2

The chairman has asked you to tell him when a special meeting must be held. Summarise 20 reasons for convening a special meeting.

[20]

OR

QUESTION 3

(a) Although members of a closed corporation are not liable for the debts of their close corporation, there are circumstances in which this protection will fall away and members will be jointly and severally liable for the debts of the corporation. Discuss these circumstances.

(10)

(b) Jack is considering approaching the court to have a fellow member of his close corporation removed.

Write notes on what the court will consider before granting the request.

(10) [20]

[20]

Section A: 30 marks

Section B: 10 marks

Section C: 40 marks

Section D: 20 marks

TOTAL: 100 MARKS