

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)?

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Ajay K. Singh,Joseph Loscalzo

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Parliamentary Debates Great Britain. Parliament. House of Commons,1941 Contains the 4th session of the 28th

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