

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)?

Memorandum For Criminology Exam Papers 2013

Hermann Mannheim



Memorandum For Criminology Exam Papers 2013:

Evidence-Based Policing Garth den Heyer, 2022-10-19 The volume aims to increase knowledge and understanding of how evidence based policing is being adopted and implemented by police agencies in the United States and whether it is affecting the agencies processes strategies community relationships and delivery of community oriented policing services This exploration is based on data drawn from the literature interviews and extensive field research that resulted in the case studies presented and discussed in the book The goal of this text will be to provide the reader with a thorough analysis of the concepts arguments and challenges facing evidence based policing The history of evidence based policing how evidence based practices are used in the health and social sectors and in the United Kingdom will be examined In addition reasonable options for improving the use of evidence based policing will be proposed Overall very practical policy implications will be outlined by a highly recognized professional who has considerable experience in policing and related research **Juvenile**

Justice John A. Winterdyk, 2014-10-14 Juvenile justice has been and remains a topical issue at national and international levels There are various standards and guidelines for administration but six major models characterize juvenile justice systems worldwide participatory welfare corporatism modified justice justice and crime control Juvenile Justice International Perspectiv **Free Market Criminal Justice** Darryl K. Brown, 2016 Free Market Criminal Justice explains how faith in

democratic politics and free markets has undermined the rule of law in US criminal process It argues that to strengthen the rule of law US criminal justice needs less democracy fewer market mechanisms and more law *The Routledge*

International Handbook of Criminology and Human Rights Leanne Weber, Elaine Fishwick, Marinella Marmo, 2016-08-25 The Routledge International Handbook of Criminology and Human Rights brings together a diverse body of work from around the globe and across a wide range of criminological topics and perspectives united by its critical application of human rights law and principles This collection explores the interdisciplinary reach of criminology and is the first of its kind to link criminology and human rights This text is divided into six sections each with an introduction and an overview provided by one of the editors The opening section makes an assessment of the current standing of human rights within the discipline Each of the remaining sections corresponds to a substantive area of harm prevention and social control which together make up the main core of contemporary criminology namely criminal law in practice transitional justice peacemaking and community safety policing in all its guises traditional and emerging approaches to criminal justice and penalty both within and beyond the prison This Handbook forms an authoritative foundation on which future teaching and research about human rights and criminology can be built This multi disciplinary text is an essential companion for criminologists sociologists legal scholars and political scientists **Power Without Constraint** Chris Edelson, 2016-05-11 As a presidential candidate Barack Obama

criticized the George W Bush administration for its unrestrained actions in matters of national security In secret Justice Department memos President Bush s officials had claimed for the executive branch total authority to use military force in

response to threats of terrorism They set aside laws made by Congress even criminal laws prohibiting torture and warrantless surveillance Candidate Obama promised to restore the rule of law and make a clean break with the Bush approach President Obama has not done so Why In a thorough comparison of the Bush and Obama administrations national security policies Chris Edelson demonstrates that President Obama and his officials have used softer rhetoric and toned down legal arguments but in key areas military action surveillance and state secrets they have simply found new ways to assert power without meaningful constitutional or statutory constraints Edelson contends that this legacy of the two immediately post 9 11 presidencies raises crucial questions for future presidents Congress the courts and American citizens Where is the political will to restore a balance of powers among branches of government and adherence to the rule of law What are the limits of authority regarding presidential national security power Have national security concerns created a permanent shift to unconstrained presidential power *Statistics for Criminology and Criminal Justice* Ronet D.

Bachman, Raymond Paternoster, Theodore H. Wilson, 2021-01-28 Communicating the excitement and importance of criminal justice research this practical and comprehensive book shows students how to perform and understand statistical analyses while helping them recognize the connection between statistical analyses used in everyday life and their importance to criminology and criminal justice This updated Fifth Edition is packed with real world case studies and contemporary examples utilizing the most current crime data and empirical research available Each chapter presents a particular statistical method in the context of a substantive research story **The Practice of Research in Criminology and Criminal Justice**

Ronet D. Bachman, Russell K. Schutt, 2023-05-12 The Practice of Research in Criminology and Criminal Justice continues to demonstrate the vital role research plays in criminal justice by integrating real world case studies with research methods By pairing research techniques with practical examples Bachman and Schutt equip students to evaluate and conduct research This Eighth Edition includes coverage of new methods and contemporary examples such as the COVID 19 pandemic mass participation in social movements increasing hate crimes and incidents of mass shootings **World Development Report**

2023 World Bank, 2023-07-03 Migration is a development challenge About 184 million people 2 3 percent of the world s population live outside of their country of nationality Almost half of them are in low and middle income countries But what lies ahead As the world struggles to cope with global economic imbalances diverging demographic trends and climate change migration will become a necessity in the decades to come for countries at all levels of income If managed well migration can be a force for prosperity and can help achieve the United Nations Sustainable Development Goals World Development Report 2023 proposes an innovative approach to maximize the development impacts of cross border movements on both destination and origin countries and on migrants and refugees themselves The framework it offers drawn from labor economics and international law rests on a Match and Motive Matrix that focuses on two factors how closely migrants skills and attributes match the needs of destination countries and what motives underlie their movements This approach enables policy makers to

distinguish between different types of movements and to design migration policies for each International cooperation will be critical to the effective management of migration

Research Handbook on the Law and Politics of Migration

Catherine Dauvergne, 2021-04-30 As the law and politics of migration become increasingly intertwined this thought provoking Research Handbook addresses the challenge of analysing their growing relationship Discussing the evolving theoretical approaches to migration it explores the growing attention given to the legal frameworks for migration and the expansion of regulation as migration moves to the centre of the political global agenda The Research Handbook demonstrates that the overlap between law and politics puts the rule of law at risk in matters of migration

Criminal Punishment and Human Rights: Convenient Morality Adnan Sattar, 2019-03-05 This book examines the relationship between international human rights discourse and the justifications for criminal punishment Using interdisciplinary discourse analysis it exposes certain paradoxes that underpin the International Bill of Human Rights academic commentaries on human rights law and the global human rights monitoring regime in relation to the aims of punishment in domestic penal systems It argues that human rights discourse owing to its theoretical kinship with Kantian philosophy embodies a paradoxical commitment to human dignity on the one hand and retributive punishment on the other Further it sustains the split between criminal justice and social justice which results in a sociologically ill informed understanding of punishment Human rights discourse plays a paradoxical role vis vis the punitive power of the state as it seeks to counter criminalisation in some areas and backs the introduction of new criminal offences and longer prison sentences in others The underlying priorities it is argued have been shaped by a number of historical circumstances Drawing on archival material the study demonstrates that the international penal discourse produced during the late nineteenth and early twentieth century laid greater emphasis on offender rehabilitation and was more attentive to the social context of crime than is the case with the modern human rights discourse

The Welsh Criminal Justice System Robert Jones, Richard Wyn Jones, 2022-10-15 This study represents the first systematic attempt to explore the functioning of the policing and criminal justice system in post devolution Wales Its particular relevance is underscored by the revelation that Wales has the highest imprisonment rate in western Europe Drawing on official data as well as extensive interviews with senior figures this book represents the first systematic exploration of the operation of the justice system in Wales across the jagged edge of devolved and non devolved functions There remains little understanding of how the justice system operates in the anomalous circumstances of post devolution Wales This book aims to fill this gap in understanding and concludes with an assessment of the proposals of the Commission on Justice in Wales for reform

Justice for All

Charles MacLean, Adam Lamparello, 2022-03-30 Justice for All identifies ten central flaws in the criminal justice system and offers an array of solutions from status quo to evolution to revolution to address the inequities and injustices that far too often result in courtrooms across the United States From the investigatory stage to the sentencing and appellate stages many criminal defendants particularly those from marginalized communities

often face procedural and structural barriers that taint the criminal justice system with the stain of unfairness prejudice and arbitrariness Systematic flaws in the criminal justice system underscore the inequitable processes by which courts deprive citizens of liberty and in some instances their lives Comprehensive in its scope and applicability the book focuses upon the procedural and substantive barriers that often prohibit defendants from receiving fair treatment within the United States criminal justice system Each chapter is devoted to a particular flaw in the criminal justice system and is divided into two parts First the authors discuss in depth the underlying causes and effects of the flaw at issue Second the authors present a wide range of possible solutions to address this flaw and to lead to greater equality in the administration of criminal justice The reader is encouraged throughout to consider and assess all possible options then defend their choices and preferences Confronting these issues is critical to reducing racial disparities and guaranteeing Justice for all Describing the problems and assessing the solutions Justice for All does not identify all problems or all solutions but will be of immeasurable value to criminal justice students and scholars as well as attorneys judges and legislators who strive to address the pervasive flaws in the criminal justice system

Assessing Multiculturalism in Global Comparative Perspective Yasmeen

Abu-Laban, Alain-G Gagnon, Arjun Tremblay, 2022-12-30 In Assessing Multiculturalism in Global Comparative Perspective a group of leading scholars come together in a multidisciplinary collection to assess multiculturalism through an international comparative perspective Multiculturalism today faces challenges like never before through the concurrent rise of populism and white supremacist groups and contemporary social movements mobilizing around alternative ideas of decolonization anti racism and national self determination Taking these challenges head on and with the backdrop that the term multiculturalism originated in Canada before going global this collection of chapters presents a global comparative view of multiculturalism through both empirical and normative perspectives with the overarching aim of comprehending multiculturalism s promise limitations contemporary challenges trajectory and possible futures Collectively the chapters provide the basis for a critical assessment of multiculturalism s first 50 years as well as vital insight into whether multiculturalism is best equipped to meet the distinct challenges characterizing this juncture of the 21st century With coverage including the Americas Europe Oceania Africa and Asia and thematic coverage of citizenship religion security gender Black Lives Matter and the post pandemic order Assessing Multiculturalism in Global Comparative Perspective presents a comprehensively global collection that is indispensable reading for scholars and students of diversity in the 21st century

Neoliberalism, State-Corporate Power and Regulatory Failure Rhiannon Bandiera, 2025-05-23

Based on over a decade of research this book examines the social harms of Australian prescription and non prescription medicine regulation and how these ultimately stem from neoliberalism and its reinforcement of state and corporate power Neoliberalism shapes state and corporate power regulation and the harms resulting from regulatory failure yet the links between these themes are rarely discussed Drawing on the concept of hegemonic neoliberal governmentality this book critically examines Australian medicine regulation and the harms resulting

from its failure in areas such as medicine quality safety and efficacy direct to consumer advertising and marketing directed at health professionals It traces these harms through the colonial foundations and evolution of medicine regulation in Australia exploring both regulatory failure and the attempts at reforming this regulatory system It argues that neoliberalism is not regulatable and reinforces and sustains itself empowering the state and corporations while disempowering the public and those representing its interests Thus reducing its harms is only achievable through broader transformative change rather than by reforming and thereby continuing to work within the existing neoliberal capitalist system Neoliberalism State Corporate Power and Regulatory Failure will be of value to practitioners members of the public and private sector and academics active in the fields of state corporate and state corporate crime social harm and regulation as well as to those new to the study of medicine related harms It will also be of interest to all those concerned about their health and the medicines they use **Corrections** Mary K. Stohr, Anthony Walsh, 2017-12-29 Corrections The Essentials Third Edition is a

comprehensive yet compact version of the typical corrections text Authors Mary K Stohr and Anthony Walsh address the most important topics in corrections in a briefer full color format offered at a lower cost It includes the usual topics typically found in corrections textbooks but has a unique perspective with greater coverage on three key topics the history and development of correctional institutions ethics and diversity The book also offers unique special feature boxes allowing students and instructors the opportunity to focus on key perspectives to broaden the book's coverage The book's brevity makes it an excellent core textbook that can easily be supplemented with additional reading materials Crime and Justice, Volume 44 Michael Tonry, 2015-09-22 Volume 44 of Crime and Justice is essential reading for scholars policy makers and practitioners who need to know about the latest advances in knowledge concerning crime its causes and its control Contents include Robert D Crutchfield on the complex interactions among race social class and crime Cassia Spohn on race crime and punishment in America Marianne van Ooijen and Edward Kleemans on the Dutch model of drug policy Beau Kilmer Peter Reuter and Luca Giommoni on cross national and comparative knowledge about drug use and control drugs Michael Tonry on federal sentencing policy since 1984 Kathryn Monahan Laurence Steinberg and Alex R Piquero on the growing influence of bioscience and developmental psychology on juvenile justice policy and practice Cheryl Lero Jonson and Francis T Cullen on prisoner reentry programs James P Lynch and Lynn A Addington on cultural changes in tolerance of violence and their effects on crime statistics Brandon C Welsh David P Farrington and B Raffan Gowan on benefit cost analysis of crime prevention Torbjorn Skardhamar Jukka Savolainen Kjersti N Aase and Torkild H Lyngstad on the effects of marriage on criminality and John MacDonald on the effects on crime rates and patterns of urban design and development *Producing Bias-Free Policing* Lorie A. Fridell, 2016-08-03 This Brief provides specific recommendations for police professionals to reduce the influence of implicit bias on police practice which will improve both effectiveness in a shift towards evidence based rather than bias based practices and police legitimacy The author is donating her proceeds from this book to the

National Law Enforcement Officers Memorial Fund nleomf.org **Information Activism** Cait McKinney, 2020-07-17 For decades lesbian feminists across the United States and Canada have created information to build movements and survive in a world that doesn't want them In *Information Activism* Cait McKinney traces how these women developed communication networks, databases, and digital archives that formed the foundation for their work Often learning on the fly and using everything from index cards to computers, these activists brought people and their visions of justice together to organize, store, and provide access to information Focusing on the transition from paper to digital-based archival techniques from the 1970s to the present, McKinney shows how media technologies animate the collective and unspectacular labor that sustains social movements, including their antiracist and trans-inclusive endeavors By bringing sexuality studies to bear on media history, McKinney demonstrates how groups with precarious access to control over information create their own innovative and resourceful techniques for generating and sharing knowledge

The World of States John L. Campbell, John A. Hall, 2015-02-26 This book is available as open access through the Bloomsbury Open Access programme and is available on www.bloomsburycollections.com For many years, attention in both public and intellectual fields was concentrated on the benefits of civil society However, with the demand for greater state regulation of the economy and the increasing realisation that states of the fourth world will never advance without the enforcement of a rule of law, the tenor of debate is now changing This topical book offers a historical account of state forms in the 21st century It focuses on what makes states effective, thus offering a different approach to existing literature which has tended to focus on the predatory characteristics of states The book covers all the major state forms of this century from the US and EU to India and China, as well as a number of key failed states such as Iraq and Zimbabwe Key definitions and terms are clearly explained throughout Written by leading figures in the field and addressing one of the key questions in politics today, this is a much-needed addition to the literature

Comparative Criminology Hermann Mannheim, 2013-08-21 This is Volume II of fifteen in a series on the Sociology of Law and Criminology Originally published in 1965, this textbook is part two of two, meant for students and deals more fully than usual with such fundamental matters as the very concepts of crime and criminology, and especially with the highly complex relationship between crime, the criminal law, and certain burning moral issues of our time It also includes several chapters on the methods of research used in criminological and penological investigations

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