THIS PAPER CONSISTS OF FIVE SECTIONS
HIERDIE VRAESTEM BESTAAN UIT VYF AFDELINGS.

ALL FIVE SECTIONS ARE COMPULSORY AND YOUR ANSWERS TO THE
QUESTIONS MUST BE WRITTEN DIRECTLY ON THE EXAMINATION
PAPER

AL VYF DIE AFDELINGS IS VERPLIGTEND EN U ANTWOORDE OP DIE
VRAE MOET DIREK OP DIE VRAESTEM GESKRYF WORD.

SECTION 1
AFDELING 1: STUDY SKILLS 25 MARKS
STUDEERVAARDIGHEDE: 25 PUNTE

SECTION 2
AFDELING 2: NUMERIC SKILLS 20 MARKS
REKENVAARDIGHEDE: 20 PUNTE

SECTION 3
AFDELING 3: COMMUNICATION SKILLS 20 MARKS
KOMMUNIKASIEVAARDIGHEDE: 20 PUNTE

SECTION 4
AFDELING 4: RESEARCH SKILLS 10 MARKS
NAVORSINGSVAAARDIGHEDE: 10 PUNTE

SECTION 5
AFDELING 5: READING SKILLS 25 MARKS
LEESVAARDIGHEDE: 25 PUNTE

[TURN OVER]
[BLAAI OM]
1) Consolidation of facts - Doing everything to ensure that you really understand material.

2) Summarising facts - Separating most important from least important facts into a useful summary.

3) Memorisation - Absorbing or rehearsing facts.

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QUESTION 2 / VRAAG 2

The environment in which we study is often the least valued aspect of the study process. We seldom consider the space around us as a key element of our success in our studies.

Die omgewing waarbinne jy studeer, is dikwels die mees onderskatte invloed op jou studieproses. Ons beskou ons studie-omgewing selde as 'n sleutel-aspek in die sukses wat ons in ons studies behaal.

2.1 Explain the difference between the following factors which are parts of the physical space (i) no distractions and (ii) no interruptions.

2.1 Verduidelik die verskil tussen die volgende faktore wat deel vorm van die fisiese spasie: (i) geen afleidings en (ii) geen onderbrekings.

No distractions - Study in a quiet place to avoid most all of your study interruptions. In some cases, you can study with music, but it must be low enough in the background that it does not interrupt your concentration. Your social environment will lead to no interruptions, as the people around you will be more supportive. Phones can also cause interruptions, ensure landline off, hook, cell phone switched off.

2.2 In your own words, explain lighting and ventilation as factors in your study environment.

2.2 Verduidelik, in jou eie woorde, beligting en ventilaasie as faktore in jou studie-omgewing.

Lighting - Have a good lamp to ensure you have enough lighting to prevent eyestrain.

Ventilation - Ensure that there are ample windows to ensure fresh flow of air. Stuffy rooms not good for long periods.

[TURN OVER]

[BLAAI OM]
4.1 Deur gebruik te maak van die kennis wat jy opgedoen het uit die Vaardigheidskursus vir Regstudente (SCL1014), gee vir jou vriend, wat gereeld sukkel met die volgende aspekte rakende sy/haar studies, raad oor:
- sloer met en uitstel van werk
- alleenlik werk wanneer hy/sy onder druk is
- wanbalans met betrekking tot tydsbesteding aan verskeie vakke, aktiwiteite ens.

she needs to manage her time. The key element of this is ability to prioritise your work activities. This is divided into 2 categories
(i) Prioritising - determining which activities are more important. Deciding what I should do is can be overawe by asking yourself what is important to me? What can I afford to give up.
(ii) Time Planning - drawing a timetable can help with prioritising, working only when under pressure. I have a morning/ evening person. How much time do I want spend on family. How much time do I have to work. Can I keep my hobbies. Time for rest & relaxation.

QUESTION 5 / VRAAG 5

"Working together we can do more" (a political party slogan-South Africa)
"Deur saam te werk kan ons meer doen" ('n politieke party in Suid-Afrika se slagapreuk)

5.1 Without merely reproducing the contents of the Study Guide, list the advantages of a study group

5.1 Sonder om bloot die inhoud van hierdie studiegids weer te gee, lys die voordele van 'n studiegroep.

- A group can serve as a pool of motivation, knowing others can give.
- Being a member of a small group can give you confidence to participate in discussions.
- You will benefit from hearing other people talk about a concept that you have only read.
“D-Day for 'Rapist’ ” By Canaan Mdletshe

Teacher who allegedly molested deaf, dumb orphan still at work

Police confirmed yesterday that the teacher who allegedly raped a 14-year old disabled orphan at Indalenzi School for the Deaf in Richmond, Kwazulu-Natal, is to be arrested soon

“We can confirm that a rape charge has been laid and an arrest is imminent”, police spokesperson Vincent Mdunge said yesterday. A family member said the girl was raped last year. The Grade 7 pupil, who is deaf and dumb, gave up her classes last month and dropped out of school.

The orphan’s sister is now pleading with the education authorities to help her. The older sister, who is aged 24, and cannot be named to protect the victim, said the ordeal had caused her sibling “psychological strain”.

The two orphans rent a shack at Bhekuzulu township in Vryheid in northern Zululand. They lost their parents between 2003 and 2005. The elder sister said she had only heard of her sister’s ordeal when she tried to commit suicide at the end of last month.

“She drank washing powder. When this failed to kill her, she tried to hang herself at school, but fortunately other pupils saved her”, she said.

The sister said she went to the school to find out why her sister had tried to commit suicide but was not given any explanation.

“One of the teachers later phoned to tell me that she had told the school principal that one of the teachers who stayed in the hostel had raped her in November but that the principal was keeping the matter quiet to protect the teacher. The principal has not told me anything”, she said.

She said she confronted the principal but he denied knowing anything. The teacher is still at the school. She said her sister is so traumatised that “I am afraid she might hurt herself as she has not received any counseling. She is always talking about death”, the sister said.

She said she had now sought a new school for her sister in Pinetown outside Durban. “The fees at that school are R18000 a year and I cannot afford it”, she said. Education department spokesperson Mbali Thusi said they would see to it that the girl continued with her education.

“Obviously, from the allegations, it will be difficult for her to continue studying at that school. We will see to it that she enrols at another school. As for the teacher, we will investigate. If the allegations are true, we will take the necessary steps”, she said.
Mbali Thusi het gesê dat hulle sal toesien dat die meisie voortgaan met haar onderrig.

"Natuurlik sal dit vir haar moeilik wees om haar studies by daardie skool voort te sit as gevolg van die bewerings. Ons sal toesien dat sy by 'n ander skool ingeskryf word. Wat die onderwyser betref, sal ons ondersoek instel. As die bewerings waar is, sal ons die nodige stappe neem," het sy gesê.
QUESTION 3 / VRAAG 3

An attorney pays salaries to three secretaries at R14 500 EACH. Calculate his yearly salary cost.

\[ 14500 \times 3 = 43500 \times 12 = 522000 \]

\( \text{(1)} \)

QUESTION 4 / VRAAG 4

An attorney arranges an account for his client on the following basis:

Every letter received R45,
Every letter written R90,
Drafting of a summons R4 500,
Drafting of an affidavit R50 per page or any part thereof,
Consultation R300 per 30 minutes or any part thereof,
Telephonic consultation R75 per 15 minutes or any part thereof,
Stamps R10 VAT excluded

During the past month the attorney rendered the following services:

Received 20 letters,
Wrote 10 letters,
Drafted 2 summonses,
Drafted an affidavit consisting of 3½ pages,
Consulted telephonically for 26 minutes,

\[ \begin{align*}
10 \times 10 &= 100 \\
90 \times 10 &= 900 \\
4 \times 50 &= 200 \\
4 \times 5 &= 20 \\
15 \times 10 &= 150
\end{align*} \]

\( \text{[TURN OVER]} \)

\( \text{[BLAAI OM]} \)
QUESTION 5 / VRAAG 5

Suppose salaries towards three staff members are R$150\,000$ on the basis of 2:2:1. Find the salary paid per staff member. (2)

Veronderstel die salarisse vir drie personeellede is R$150\,000$ op 'n basis van 2:2:1. Bereken die salaris wat elke personeel lid ontvang. (2)
QUESTION 8 / VRAAG 8

Faith collides with Thando at an intersection. Faith is found to be 60% negligent. Her car is valued at R160 000. Thando’s negligence in the collision is 30%. Her car of R345 000 is a write-off and she receives R15 000 for the wreck. Who should pay damages to the other?

(2)

Faith is in 'n botsing met Thando betrokke by 'n kruising. Daar word bevind dat Faith 60% nalatig was. Die waarde van haar kar is op R160 000 bereken. Tando se nalatigheid in die botsing is 30%. Haar motor van R345 000 word afgeskryf en sy ontvang R15 000 vir die wrak. Wie moet skadevergoeding aan wie betaal?

(2)

<table>
<thead>
<tr>
<th>Faith</th>
<th>Thando</th>
</tr>
</thead>
<tbody>
<tr>
<td>60%</td>
<td>30%</td>
</tr>
<tr>
<td>160 000 × 30%</td>
<td>345 000</td>
</tr>
<tr>
<td>48 000</td>
<td>Salvage 1 000</td>
</tr>
<tr>
<td></td>
<td>= 330 000 × 60%</td>
</tr>
<tr>
<td></td>
<td>198 000</td>
</tr>
</tbody>
</table>

Faith must pay Thando

TOTAL SECTION 2 [20]
TOTAAL AFDELING 2 [20]
1.2 Upon working on the case, in preparation for court, you realise that you need to interview Sebata Kgomo, another teacher at the school. Write an introductory paragraph that would ensure that he cooperates with you and the court in this matter.

1.2 Terwyl jy aan die saak werk, tydens voorbereiding vir die hof, besef jy dat jy 'n onderhoud met Sebata Kgomo, 'n ander onderwyser by die skool, moet voer. Skryf 'n inleidende paragraaf wat sal verseker dat hy met jou en die hof sal saamwerk in hierdie saak.

We are preparing a court case regarding an alleged rape of a 14-year-old deaf student at the Indalenini School for the deaf in November last year, and would like to get more info from you. We got your details from our client, Mr. Motlusi Seshwane, who has been charged with the alleged rape, and he has said you are a fellow colleague of the student and you were willing to assist in court in this matter.

1.3 Assuming that the matter has finally been brought before court, write your opening address.

1.3 Verondersteel die saak gaan uiteindelik hof toe. Skryf jou openingstoespraak.

Your worshio, my name is XXX

I act for the defendant. This is a case of alleged rape that occurred last year in November at the Indalenini School for the deaf. A charge of rape has been laid. I will call Sebata Kgomo, a teacher at the school, as well as Mr. Twapiile Shelahe, the principal of the school, as witnesses.
1.5 In the circumstances, advise Mosibudi Swele what other steps may be taken in an attempt to ensure that her sister’s expenses are covered at the Pinetown school. (2)

1.5 Onder die omstandighede, voorsien Mosibudi Swele van raad oor watter ander stappe geneem kan word in ’n poging om te verseker dat haar suster se uitgawes by die Pinetown-skool gedek word. (2)

QUESTION 2 / VRAAG 2

2.1 What is the relationship between logic and legal practice? (2)

2.1 Wat is die verhouding tussen logika en regswerk? (2)

Logic has to do with your ability to solve problems by argumentation. By using logic you are able to persuade judges about the validity of your argument. (2)

2.2 Using your own examples, distinguish between "deductive reasoning" and "inductive reasoning". (2)

2.2 Met behulp van jou eie voorbeelde, onderskei tussen "deduktiewe redenering" en "induktiewe redenering". (2)
- A Title
- An abstract
- An introduction
- Arguments
- Conclusion

3.2. What are the four steps you will take when reading an article? (2)
3.2 Wat is die vier stappe wat jy moet neem wanneer jy 'n artikel lees? (2)
- read the title as well as the abstract
- Skim read 1 article
- read 1 article again for detail
- read 1 article again including footnotes, as footnotes sometimes contains valuable information.

QUESTION 4 / VRAAG 4

What is the significance of books and journal articles in research? (2)
Hoekom is boeke en tydskrifartikels van belang in navorsing? (2)
Books and journal articles are a secondary source of law and are persuasive in nature.
Books are a permanent & invariable source of information. Journal articles are concerned with academic study & exhibit attitudes of a scholar.
well-established meaning which includes the zoning of land and the establishment of townships was endorsed. It held that the powers to consider and approve applications for the rezoning of land and the establishment of townships are elements of 'municipal planning', an exclusive municipal function assigned to municipalities by section 156 (1) of the Constitution read with Part B of Schedule 4. Consequently, Chapters V and VI of the Act were found to be constitutionally invalid as they assign exclusive municipal powers to organs of the provincial sphere of government.

The ruling also dealt with any disruptive effect that an order of invalidity might have on the past and future developments, suspending the order of invalidity for 24 months to allow Parliament to rectify the defects in the Act, or to pass new legislation. Further, the order imposes a condition prohibiting development tribunals from hearing new applications for land developments within the jurisdictions of the City and the eThekweni Municipality, as these municipalities were shown to have the capacity to exercise the contested power. However, the tribunals are entitled to finalize all pending applications in these jurisdictions.

Konstitusionele Hof besluit oor hersoneringmagte-kwessie

Die Konstitusionele Hof het 'n dispuut opgeklaar wat daaroor handel of die Grondwet vir die munisipale of provinsiale regeringsfeer, of beide, die reg gee om magte uit te oefen met betrekking tot die hersonering van land en die vestiging van dorpsgebiede, berig Legalbrief. Dit het 'n bevel bevestig wat deur die Appêlhof gemaak is, wat verklaar dat Hoofstuk V en VI van die Wet op Ontwikkelingsfasilitering, Wet 67 van 1995, ongrondwetlik en dus ongeldig is. Die saak het gespruit uit 'n dispuut tussen Johannesburg en die Gautengse Ontwikkelingstribunaal, 'n provinsiale instansie wat deur die Wet tot stand gekom het, wat die mag gegee is om aansoeke vir die hersonering van grond en die vestiging van dorpsgebiede goed te keur, terwyl die Stadsbeplanning- en Dorpsgebied-ordonnansie, 15 van 1986, die munisipaliteit bepaal om 'n besluit te neem oor dieselfde kwessies. Die Konstitusionele Hof het beslis dat die Grondwet voorstiening maak vir 'n mate van autonomie vir die munisipale feer, waar munisipaliteite hul oorspronklike grondwetlike magte uitoefen sonder onbillike inmenging van die ander regeringsfere. Die Appêlhof se bevinding was dat "beplanning" in die konteks van munisipale sake 'n besondere, goed gevestigde betekenis het, wat die sonering van grond en die vestiging van dorpsgebiede insluit. Dit het bepaal dat die mag om aansoeke om hersonering van land en die vestiging van dorpsgebiede te oorweeg en goed te keur elemente van "munisipale beplanning" behels, 'n eksklusiewe munisipale funksie ingevolge artikel 156(1) van die Grondwet, gelees saam met Deel B van Skedule 4. Gevolglik is Hoofstuk V en VI van die bogenoemde wet ongrondwetlik gevind aangesien dit eksklusiewe munisipale magte aan provinsiale regeringsinstansies bied.

[TURN OVER]

[BLAAI OM]
1.3 In your own words, formulate the context upon which the Constitutional Court based its ruling

1.3 Beskryf, in jou eie woorde, die konteks waarop die Konstitusionele Hof sy uitspraak gebaseer het.

1.4 Explain what Parliament should do to remedy the situation?

1.4 Verduidelik wat die Parlement behoort te doen om die situasie te beredder?

1.5 Write a possible long title for the proposed Act

1.5 Skryf 'n moontlike lang titel vir die voorgestelde Wet.
ii) When was the case published?  
Wanneer is die saak gepubliseer?  

2000

iii) Where was it published? Give full disclosure  
Waar is dit gepubliseer. Beskryf volledig.  

Volume 3, South African Law Reports,  
pag. 867

iv) What type of a case is this? Give reasons for your answer  
Watter soort saak was dit? Gee redes vir jou antwoord.  

QUESTION 4 / VRAAG 4

4.1 Explain the following kinds of judgments  
Verduidelik die volgende tipe uitsprake:

(i) majority  
(ii) meerderheid

Majority of judges who have heard a particular case give the same judgment, based on the same reasons. One judge gives judgment, the others concur. The ratio decidendi of the majority judgment creates precedent, which is binding to be used in future cases.
QUESTION 5 / VRAAG 5

Define the following legal concepts
Definieer die volgende regs konsepte:

(i) *Prima facie* (1)

(ii) *Amicus curiae* (1)

TOTAL SECTION 5 [25]
TOTAAL AFDELING 5: [25]

TOTAL [100]
TOTAAL: [100]