THIS PAPER CONSISTS OF FIVE SECTIONS
HIERDIE VRAESTEL 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 VRAESTEL GESKRYF WORD.

SECTION 1
AFDELING 1:
STUDY SKILLS 25 MARKS
STUDEERVAARDIGHEDE: 30 PUNTE

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

SECTION 3
AFDELING 3:
COMMUNICATION SKILLS 20 MARKS
KOMMUNIKASIEVAARDIGHEDE: 15 PUNTE

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

SECTION 5
AFDELING 5:
READING SKILLS 25 MARKS
LEESVAARDIGHEDE: 25 PUNTE
Involves intensive reading in order to get to grips with the real contents of a topic.

1. Consolidation of facts - Doing everything to really understand material
2. Summarising facts - Separating 1 most important point from least important points
3. Memorisation - Involves rehearsing & absorbing 1 fact

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 waarin jy moet studeer, is dikwels die mees onderskeie invloed op jou studieproses. Ons beskou ons studie-omgewing seld as ’n sleutelspek 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 (1)

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

(i) No distractions - Study in a quiet place - mask your environment - Adjust your timetable for quieter times.
(ii) No Interruptions - Mastering of a social space will lead to no interruptions as people around you will be more supportive. Phones also cause interruptions. Ensure cell phone is off!

2.2 Using your own examples, explain the significance of the social space to one’s study process (1)

2.2 Deur om gebruik te maak van u eie voorbeelde, verduidelik die belang van die sosiale omgewing ten opsigte van u leer proses. (1)

See answer above.

1. Check the people around you, master it! I know how to get the best out of it as this forms the crux of your social environment.
QUESTION 4 / VRAAG 4

4.1 Your friend, studying at the University of Tzaneen, has the following hurdles as regards her studies: procrastination and postponing work, working only when under pressure, and imbalance in terms of time allocation for various activities. Draw on your knowledge from the Skills Course for Law Students (SCL1501) to advise her.

4.1 U vriendin wat studeer by die Universiteit van Tzaneen, het die volgende struikelblokke ten opsigte van haar studies: uitstel van haar werk, sy werk net wanneer sy onder druk is en 'n wanbalans in terme van tydtoekenning vir verskeie aktiwiteite. Gebruik u kennis vanaf die Vaardighede Kursus vir Regstudele (SCL1501) om haar te adviseer.

She needs to manage her time. A key element in time management is the ability to prioritize your work/activities. TM is divided into 2 categories (i) Prioritising - she needs to determine which activities are more important. Deciding what she wants & what she should do can be overcome by asking herself what is important for her? what can I afford to give up? (ii) Time Planning - working only when under pressure. (Imbalance regards time allocation)

Points to consider when planning a timetable (i) Am I a morning/evening person (ii) How much time I want to give to family (iii) How much time do I have to work (iv) Can I keep my hobbies going (v) Time for rest & relaxation

QUESTION 5 / VRAAG 5

"Learning effectively from a group context is a skill that has to be learnt and developed."

"Om effektief te kan leer vanuit 'n groep konteks, is 'n vaardigheid wat aangeleer moet word en dus ontwikkeld moet word."

5.1 In your own words, explain why it is important for you, as an aspiring lawyer, to be able to work or study in a group context.

5.1 In u eie woorde, verkies of waarom is dit belangrik vir u as 'n kandidaat prokureur om te kan werk of studeer in 'n groep konteks.

Belonging to a group helps us develop most of our social skills. Other behavioral patterns, conversation/force one to work out conclusions or applications not aware of previously.

TURN OVER
Read the following text written by Mfundekwa Mkhulisi, adapted from the Sowetan (Wednesday 07 October 2010), and capture the essence of the text by means of any visual note-making strategy.

"Company toilet roll burnt my private parts, claims employee"

A response to the call of nature ended in a nightmare for a Katlehong, Ekurhuleni, woman when the tissue she used to clean herself "burnt" her private parts. The tissue was marked with spray paint because the company said employees were stealing toilet paper.

Nosipho Molefe reported for work on July 15 at Trident Steel in Roodekop near Germiston. She later answered the call of nature.

"I went to the toilet. After I finished, I used a tissue to clean myself. I noticed that the tissue had a colouring on the edges, but didn't think there was anything wrong", Molefe said.

She said a few minutes after coming out of the toilet her private parts started "burning". "All the areas that were touched by the tissue were itchy and burning", she said.

She said she immediately informed her superiors because "the pain was unbearable." "They did not take me seriously. I then went to a nearby doctor because mine was far. The pain was killing me."

Molefe said she later learnt that the tissue was marked with spray paint because the company said employees were stealing toilet paper. According to a medical report, a copy of which is in Sowetan's possession, Molefe suffered from "combined urinary tract infection, intra-abdominal infection, ischaemic heart disease and hyperlipidemia."

Molefe was admitted to Clinix in Vosloorus, where she spent 10 days receiving treatment. "The hospital charged me R26, 000 and by the time I was discharged my medical aid was exhausted. I still owe the hospital about R1,000. I want the company to refund me because it was their fault", she said.

Trident Steel confirmed that it was aware of Molefe's complaint. "The company views the complaint as serious and is currently investigating the matter", said the spokesperson Tipten Terblanche.

[BLAAI OM]
1.2 What was the price of the bakkie before VAT was added? (1)

\[ \text{R}\,189,000 \text{ (incl. VAT)} \]

\[ \frac{100}{114} \times 189,000 \]

Price of Bakkie (VAT excl.)

= R 165,789.47

1.3 Explain what is meant by "salvage value". Relate your explanation to the Navara as an example. (1)

Verduidelik wat word bedoel by "herwinwaarde". In u verduideliking verwys na die Navara as 'n voorbeeld.

Before the accident, the value of the Navara was too high.

After the accident, the cost of repairing the Navara was too expensive. Thus, what could be released or regained from the accident is the scrap value or salvage value.

**QUESTION 2 / VRAAG 2**

2.1 With reference to Ngidi and Mongwe Mathaithai, calculate who must pay whom, and what would be the amount in damages. (4)

2.1 Met verwysing na Ngidi en Mongwe Mathaithai, bereken wie moet wie betaal, en wat die bedrag in skade sal wees. (4)

<table>
<thead>
<tr>
<th>Ngidi</th>
<th>Mongwe</th>
</tr>
</thead>
<tbody>
<tr>
<td>63%</td>
<td>20%</td>
</tr>
</tbody>
</table>

\[ \text{Accident / R}\,189,000 \text{ excl. VAT} \]

\[ \text{R}\,275,000 \text{ excl. VAT} \]

<table>
<thead>
<tr>
<th>Damage Value</th>
<th>Salvage Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>R6,500</td>
<td>R4,387.00</td>
</tr>
</tbody>
</table>

\[ \text{Ngidi} \times \frac{249,000}{100} \]

\[ \frac{156,870}{13,000} \]

Ngidi must pay Mongwe R43,870.00.
Mongwe het vir Hlebi Hlebela, 'n prokureur wat praktiseer in Tzaneen en die Letaba Distrik genader om hom by te staan in die saak. Hy het ingestem tot die volgende ooreenkoms met die prokureur, en die ooreengekome vergoeding is as volg:

Elke geskrewe brief R65
Elke brief ontvang R35
Opstel van 'n dagvaarding R650
Opstel van 'n beedigde verklaring R55 per bladsey of enige gedeelde daarvan
Konsultasie R500 per 30 minute of enige gedeelde daarvan
Telefoniese konsultasie R325 per 15 minute of enige gedeelte daarvan
Seëls R3,50 BTW uitgesluit

In die afgelope maand het die prokureur die volgende dienste gelever:

3 brieue ontvang
6 brieue geskryf en gepos
2 dagvaardings opgestel
2 beedigde verklarings opgestel: 1 bestaan uit 6½ bladseye; en die ander uit 11½ bladseye
2 keer telefoniese gekonsulteer: die eerste keer vir 21 minute en die volgende keer vir 32 minute
2 konsultasies: die eerste keer vir 31 minute en die volgende keer vir 'n uur en 36 minute

Hy het 'n advokaat instruksies gegee om 'n dokument op te stel. Die kostes het R1115,80 (BTW uitgesluit) beloop
Die klient het met 'n ortopediese chirurg gekonsulteer, en die kostes het R4900 (BTW uitgesluit) beloop.
Stel Hlebi Hlebela se volledige rekeningstaat aan Mongwe Mathaithai op.

(13)
SECTION 3
AFDELING 3

Answer ALL the questions Your answers to the questions in this section must be written DIRECTLY on the examination paper in the space provided
Beantwoord AL die vrae. Skryf u antwoorde op die vrae in hierdie afdeling DIREK op die eksamenvraestel in die ruimte toegelaat.

QUESTION 1 / VRAAG 1

In order to answer the questions in this section, you will again have to read the newspaper text (adapted from the Sowetan) in Section 1 of this examination paper

Om die vrae in hierdie afdeling te kan beantwoord, moet jy weer die koerantberig (soos vertaal en aangepas uit die Sowetan) in Afdeling 1 van hierdie vraestel lees

Nosipho Molefe has been persuaded to come and see you with regard to her bad experience and injury suffered at her place of work. She approaches you to act on her behalf in the matter
Nosipho Molefe was aanbeveel om u te kom sien aangaande haar onaangename ondervinding en besering wat sy ondervind het by haar werksplek. Sy nader u om namens haar in die saak op te tree

1.1 Frame two questions that you will ask her so as to "put her at ease" during your first consultation with her (2)

1.1. Formuleer twee vrae wat u aan haar sal vra om haar so gemaklik as moontlik te maak gedurende die eerste konsultasie. (2)

1. What are your hobbies?
2. What is your favourite music group?

1.2 Draft two useful questions that you will ask her during the first consultation (2)

1.2. Formuleer twee nuttige vrae wat u haar sal vra gedurende die eerste konsultasie. (2)
1.5 Nosipho Molefe’s employer has appointed Mr Mailula Mahowa, an attorney at Modjadji House, to represent the company in the case. During the cross-examination of your client he asks her the following questions:

- Did you get permission to use the toilet paper that was supplied by Trident Steel?
- Are you sure that the toilet paper was supplied by Trident Steel?
- Did the management of Trident Steel spray the toilet paper with paint?

Explain fully what you would do in this situation, as a response or reaction to his questioning. (2)

1.5. Nosipho Molefe se werkgewer het Mnr. Mailula Mahowa, ’n prokureur by Modjadji House aangestel om die maatskappy te verteenwoordig in die saak. Gedurende die kruis-ondervraging van u kliënt vra hy aan haar die volgende vrae:

- Het u toestemming verkry om die toiletpapier soos verskaf deur Trident Steel te gebruik?
- Is u seker dat die toiletpapier deur Trident Steel verskaf was?
- Het die bestuur van Trident Steel die toiletpapier met verf gespuit?

Verduidelik ten volle wat u in die situasie sou doen, as ’n reaksie ten opsigte van sy vrae. (2)

I want object because those type of questions are allowed.

I want object, because it is a principal of Law that those type of questions that is Leading questions are allowed during cross-examination.

1.6 You realise that your client made serious blunders during her being cross-examined by Mr Mahowa. Explain fully what you may do after Mr Mahowa has finished asking her questions. (2)

1.6. U besef dat u kliënt ernstige foutie gemaak het gedurende Mnr. Mahowa se kruis-ondervraging. Verduidelik volledig wat u mag doen wanneer Mnr. Mahowa sy ondervraging voltooi het. (2)
2.2 Two common forms of irrelevance in arguments are (a) *argumentum ad hominem* and (b) argue from authority. Use your own examples to explain these two forms.

2.2 Twee algemene vorme van inductiewe redenering wat na vore kom is (a) *argumentum ad hominem* en (b) "argumeerteur deur gebruik te maak van gesag". Maak gebruik van u eie voorbeelde en verduidelik die twee vorme.

*argumentum ad hominem* - When in an argument situation, 1 participant does not attack 1 argument, instead he attacks -

a person submitting 1 argument.

Eg: Jack argues for death penalty again.

Tina - of newborn baby

Jack says rapist should get death penalty.

Tina says Jack sounds shady & he should get death penalty.
QUESTION 4 / VRAAG 4

What do you understand by the concept "bibliography"?
Wat verstaan u onder die konsep "bibliografie"?

A Bibliography is an alphabetical list of sources you used during your research. A Bibliography is found at the last page at the end of your research.

QUESTION 5 / VRAAG 5

Why is it important to cite references in your research?
Waarom is dit belangrik om verwysings in u navorsing te noem?

If any info contained in the text of a legal publication has been obtained from an outside source, it is not your writer's own ideas, thoughts or arguments. It is absolutely necessary to provide a reference to the source. Otherwise, the info may amount to plagiarism.

TOTAL SECTION 4 [10]
TOTAAL AFDELING 4: [10]
Sometimes an Act comes into effect and a day it is published in the government gazette or it will be indicated in a Act. When it will become effective we can consult "Butterworths publication: Is it in force?"

QUESTION 4 / VRAAG 4

What is the connection between case law and legislation? (2)
Wat is die verband tussen regspraak en wetgewing? (2)

- Case law refers to court cases in which the courts interpreted an Act or legislation.
- Legislation is law laid down by an organ of state which has power to do so.
- Both are primary sources of law.

QUESTION 5 / VRAAG 5

What is the difference between "reported" and "unreported" judgements? (2)
Wat is die verskil tussen "gerapporteerde" en "ongerapporteerde" uitsprake? (2)
QUESTION 9 / VRAAG 9

What does the word "Held" in a headnote indicate? (2)

Wat dui die woord "held" of "beslis" in 'n kopstuk aan? (2)

The word "Held" indicates a finding of the court.

Tjies "Held" tyd stelsel van die afd. oor "court held"

Some sentences in headnotes start with the word "Held". This word indicates a finding of the court. Usually takes the structure "court held."