

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

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

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

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

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

Involves intensive reading in order to get to grips with the real contents of 1 topic

Things you do
1 material
(1) Consolidation of facts - Doing everything to really understand
(2) Summarising facts - separating 1 most important points from 1 least important
(3) memorisation - involves rehearsing & absorbing 1 facts

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 moet studeer, is dikwels die mees onderskatte invloed op jou studieproses. Ons beskou ons studie-omgewing selde as 'n sleutelaspek 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)

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

(i) No distractions - study in a quiet place - master your environment - Adjust your timetable for quieter times. If you like studying with music, keep 1 volume low

to get 1 best (1) out of 1 study period

you need to have extended periods of studying with no int.

(2) No Interruptions - mastering of 1 social space will lead to no interruptions as people around you will be more supportive. phones also cause interruptions. Ensure cell phone is off. Landline is of 1 hook.

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.

check the people around you, master it & know how to get 1 best out of it as this forms 1 crux of your social environment.

SOCIAL SPACE

PHYSICAL SPACE

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 (3)

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 Regstudente (SCL1501) om haar te adviseer. (3)

She needs to manage her time. A key element in time mgnt is the ability to prioritise your work/activities. TM is divided into 2 categories (i) Prioritising - she needs to det which activities are more important. Deciding bet the wants & I should dds can be overcome by asking herself what is important for me? what can I afford to give up. (ii) Time planning. She needs to draw up a Timetable which helps with procrastination/ working only when under pressure. (Imbalance regards time allocation)

Points to consider when planning T/Table (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 ontwikkel moet word".

5.1 In your own words, explain why it is important for you, as an aspirant lawyer, to be able to work or study in a group context (2)

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

Belonging to a group help us develop most of our thoughts, (2) social skills & other behavioural patterns. conversation / Argumentation shows gaps in knowledge & abilities & can force one to work out conclusions or applications not aware of previously

- 6.2 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 (4)
- 6.2 Lees die volgende teks wat geskryf is deur Mfundekwa Mkhulisi, aangepas en vertaal uit die *Sowetan* (Woensdag 07 October 2010) en som die essensie daarvan op deur gebruik te maak van enige visuele notas. (4)

"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, ischemic 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.

TOTAL FOR SECTION 1 [25]
TOTAAL VIR AFDELING 1: [25]

- 1 2 What was the price of the bakkie before Vat was added? (1)
1.2. Wat was die prys van die bakkie voor die BTW bygevoeg is? (1)

$$\begin{aligned} & \underline{R189000 \text{ (incl vat)}} \\ & \underline{100 \div 114 \times 189000} \\ & \underline{\text{Price of Bakkie (vat excl)}} \\ & \underline{= R 165789,47} \quad \checkmark \text{ correct} \end{aligned}$$

- 1 3 Explain what is meant by "salvage value" Relate your explanation to the Navara as an example (1)
1.3. Verduidelik wat word bedoel by "herwinwaarde". In u verduideliking verwys na die Navara as 'n voorbeeld. (1)

Before the accident ↓ value of ↓ NAVARA was R275 000,00
After the accident ↓ cost of repairing ↓ NAVARA was too expensive & thus what could be salvaged or regained from ↓ accident in terms of ↓ Navara is ↓ 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)

Ngidi - 63%	Mongwe - 20%
Value of Bakkie	Navara
pre-accident / R189000 excl vat	R275000,00
Salvage Value	Salvage value 12% = R33000,00
Damage R65000	Damage 24% = R66000,00

$$\begin{aligned} \text{Ngidi} & \quad \frac{63}{100} \times 249000,00 & \text{Mongwe} & \quad = \frac{20}{100} \times 65000,00 \\ & \underline{156870} & & \underline{13000} \end{aligned}$$

Ngidi must pay Mongwe 143870,00 correct

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 werkplek. 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 klient 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 toilerpapier met verf gespuit?

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

I wont object, because these type of questions is leading questions are allowed.

I wont 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 klient ernstige foute 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 (4)
- 2.2 Twee algemene vorme van induktiewe redenering wat na vore kom is (a) *argumentum ad hominem* en (b) "argumenteer deur gebruik te maak van gesag". Maak gebruik van u eie voorbeelde en verduidelik die twee vorme. (4)

argumentum ad hominem - when in an argument situation, 1 participant does not attack 1 argument, instead he attacks the person submitting 1 argument.

Eg: Jack argues for 1 death Penalty against Tina of newborn babies

Jack says rapists should get 1 death penalty.
Tina says Jack seems shady & he should get 1 death penalty.

TOTAL SECTION 3 [20]
TOTAAL AFDELING 3: [20]

TURN OVER]
[BLAAI OM]

QUESTION 4 / VRAAG 4

What do you understand by the concept "bibliography" (2)
Wat verstaan u onder die konsep "bibliografie" (2)

A Bibliography is an alphabetical list of sources = you used during your research. A Bibliography is found @ 1 last page at 1 end of your research

QUESTION 5 / VRAAG 5

Why is it important to cite references in your research? (2)
Waarom is dit belangrik om verwysings in u navorsing te noem? (2)

If any info contained in 1 text of a legal publication has been obtained from an outside source & IS ∴ not 1 writers own ideas, thoughts or arguments - It is absolutely necessary 1 a reference to 1 source be provided, otherwise 1 info may amount to plagiarism.

TOTAL SECTION 4 [10]
TOTAAL AFDELING 4: [10]

TURN OVER]
 [BLAAI OM]

Sometimes an Act comes into effect
on 1 day it is published in 1 government
gazette, ^{sometimes} or it will be indicated in 1 act
when it will become effective

She can consult 1 "Butterworths publications:
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 1 law laid down by an
organ of state which has 1 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)

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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 1 court.
takes 1 structure "1 court held"

Some sentences in 1 headnotes start with 1
word "held". This word indicates a
finding of 1 court. Usually takes 1
structure
"1 court held"

Handwritten text on a vertical strip of paper, possibly a page from a book or manuscript. The text is written in a cursive or shorthand style and is oriented vertically. The characters are difficult to decipher but appear to be a sequence of letters or symbols.