

ILW1501

(476637)

May/June 2012
Mei/June 2012
**INTRODUCTION TO LAW
INLEIDING TOT DIE REG**
Duration 2 Hours
Tydsduur 2 Uur100 Marks
100 Punte**EXAMINERS / EKSAMINATORE :**

FIRST / EERSTE	MRS/MEV A JACOBS
SECOND / TWEEDE	MR/MNR J DE VILLIERS

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This paper consists of 25 pages plus instructions for completion of a mark-reading sheet

Hierdie vraestel bestaan uit 25 bladsye plus instruksies vir die voltooiing van 'n merkleesblad.

INSTRUCTIONS

- 1 Answer ALL the questions
- 2 Read the questions VERY CAREFULLY before answering them
- 3 MARKS may be DEDUCTED for POOR LANGUAGE
- 4 Use a BLUE or a BLACK PEN when you answer the questions of SECTION A on the EXAMINATION PAPER PLEASE DO NOT USE A PENCIL WHEN ANSWERING THIS SECTION
- 5 Use an HB PENCIL when you answer the questions of SECTION B on the MARK-READING SHEET PLEASE DO NOT USE A PEN WHEN COMPLETING THE MARK-READING SHEET

INSTRUKSIES

- 1 Beantwoord AL die vrae.
- 2 Lees die vrae BAIE AANDAGTIG voordat jy dit beantwoord.
- 3 PUNTE mag AFGETREK word vir SWAK TAALGEBRUIK.
- 4 Gebruik 'n BLOU of 'n SWART PEN wanneer jy die vrae van AFDELING A op die EKSAMENVRAESTEL beantwoord. MOET ASSEBLIEF NIE 'N POTLOOD GEBRUIK WANNEER JY HIERDIE AFDELING BEANTWOORD NIE.
- 5 Gebruik 'n HB-POTLOOD wanneer jy die vrae van AFDELING B op die MERKLEESBLAD beantwoord. MOET ASSEBLIEF NIE 'N PEN GEBRUIK WANNEER JY DIE MERKLEESBLAD VOLTOOI NIE.

[TURN OVER]
[BLAAI OM]

THIS PAPER CONSISTS OF TWO SECTIONS.
HIERDIE VRAESTEL BESTAAN UIT TWEE AFDELINGS:

SECTION A COMPULSORY 70 MARKS

Your answers to the questions in this section must be written directly on the examination paper

AFDELING A: VERPLIGTEND 70 PUNTE

Jou antwoorde op die vrae in hierdie afdeling moet direk op die eksamenvraestel geskryf word.

SECTION B COMPULSORY 30 MARKS

This section consists of 15 multiple-choice questions which must be answered on the mark-reading sheet provided. Each question counts TWO marks. The unique number to be filled in on the mark-reading sheet is 476637

AFDELING B: VERPLIGTEND 30 PUNTE

Hierdie afdeling bestaan uit 15 meervoudigekeuse-vrae wat op die merkleesblad wat voorsien word, beantwoord moet word. Elke vraag tel TWEE punte. Die unieke nommer wat op die merkleesblad ingevul moet word, is: 476637

[TURN OVER]
[BLAAI OM]

**SECTION A
AFDELING A**

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 jou antwoorde op die vrae in hierdie afdeling DIREK op die eksamenvraestel in die ruimte toegelaat.

QUESTION 1 / VRAAG 1

- (a) **Describe** the term “norm” **Also name** four normative systems that comply with the description of the term “norm” (3)
Omskryf die begrip “norm”. **Noem ook** vier normatiewe stelsels wat aan die omskrywing van die begrip “norm” voldoen. (3)

- (b) **Distinguish** between formal justice and substantive justice (3)
Onderskei tussen formele geregtigheid en substantiewe geregtigheid. (3)

[TURN OVER]
[BLAAI OM]

- (c) According to South African private law, a legal subject can be the bearer of four types of rights. Name these four types of rights as well as their corresponding objects (4)
Volgens die Suid-Afrikaanse privaatreë kan 'n regs subjek die draer van vier tipes regte wees. Noem hierdie vier tipes regte asook hulle ooreenstemmende objekte. (4)

1 _____

2 _____

3 _____

4 _____

[10]

QUESTION 2 / VRAAG 2

- (a) In Roman law the *Corpus Iuris Civilis* is very important. Explain what the *Corpus Iuris Civilis* is (1)
In die Romeinse reg is die *Corpus Iuris Civilis* baie belangrik. Verduidelik wat die *Corpus Iuris Civilis* is. (1)

- (b) The history of our legal system goes back to Roman times. Name the periods our legal history can be divided into (2)
Die geskiedenis van ons regstelsel dateer terug tot in die tyd van die Romeine. Noem die tydperke waarin ons regs geskiedenis verdeel kan word. (2)

1 _____

2 _____

3 _____

4 _____

[TURN OVER]
[BLAAI OM]

QUESTION 3 / VRAAG 3

- (a) Read the following scenario and answer the questions that follow.
Lees die volgende scenario en beantwoord die vrae wat daarop volg:

Charl and Charlotte Charles have been married for the past 25 years. During this time they have lived in luxury and have never even thought about what would happen to their wealth if they are not around anymore. On their way to Cape Town for their annual holiday they both die in a car accident. Their three children are now very eager to hear what will happen to their parents' wealth.

Charl en Charlotte Charles is reeds die afgelope 25 jaar getroud. Gedurende hierdie tyd het hulle in luuksheid gelewe en het nooit eers daaraan gedink wat van hulle rykdom sou word indien hulle die dag nie meer daar is nie. Op pad Kaapstad toe vir hul jaarlikse vakansie sterf beide in 'n motorongeluk. Hulle drie kinders is nou baie gretig om te hoor wat van hulle ouers se rykdom sal word.

- (i) Which main division of South African law will be applicable to this scenario? Give a reason for your answer. (2)
Watter hoofafdeling van die Suid-Afrikaanse reg sal van toepassing wees op hierdie scenario? Gee 'n rede vir jou antwoord. (2)

- (ii) Which division of your answer in (i) will be applicable? Explain in detail what this specific division deals with. (3)
Watter afdeling van jou antwoord in (i) sal van toepassing wees? Verduidelik volledig waaroor hierdie spesifieke afdeling handel. (3)

- (iii) Which subdivision of your answer in (ii) will be applicable? Give reasons for your answer (3)
Watter onderafdeling van jou antwoord in (ii) sal van toepassing wees? Gee redes vir jou antwoord. (3)

- (iv) Which form of the subdivision in (iii) will be applicable to our scenario? Give a reason for your answer (2)
Watter vorm van die onderafdeling in (iii) sal van toepassing wees op ons scenario. Gee 'n rede vir jou antwoord. (2)

[10]

QUESTION 4 / VRAAG 4

- (a) Read the following scenario and answer the questions that follow
Lees die volgende scenario en beantwoord die vrae wat daarop volg:

Mr and Mrs Clark have been married for the past ten years. Two years ago Mr Clark, who is a well-known businessman in the community, began an extra-marital relationship with his neighbour's wife. When Mrs Clark found out about her husband's adultery a year later, she decided to divorce him. She approaches you for legal advice and asks you to explain to her which sources of law you will use in the divorce case against Mr Clark.

Mnr en mev Clark is reeds die afgelope tien jaar met mekaar getroud. Twee jaar gelede het mnr Clark, 'n bekende sakeman van die gemeenskap, 'n buite-egtelike verhouding met sy buurman se vrou aangeknoop. Toe mev Clark 'n jaar later van haar man se owerspel te hore kom, het sy besluit om van hom te skei. Sy nader jou vir regsadvies en vra jou om aan haar te verduidelik watter regsbronne jy sal gebruik in die egskedingsaak teen mnr Clark.

- (i) You explain to Mrs Clark that a distinction is made between two kinds of sources of law in South African law. **Name** these two kinds of sources of law. (1)
Jy verduidelik aan mev Clark dat daar in die Suid-Afrikaanse reg 'n onderskeid getref word tussen twee soorte regsbronne. **Noem** hierdie twee soorte regsbronne. (1)

1 _____

2 _____

- (ii) Mrs Clark asks you to explain the difference between these two kinds of sources of law to her. (2)
Mev Clark vra jou om die verskil tussen hierdie twee soorte regsbronne aan haar te verduidelik. (2)

- (iii) Name the most important source of South African law that you will have to consult when you start preparing for Mrs Clark's case (1)
Noem die belangrikste bron van die Suid-Afrikaanse reg wat jy sal moet raadpleeg wanneer jy begin met die voorbereiding van mev Clark se saak. (1)

- (iv) To which kind of sources of law does your answer in (iii) belong? (1)
Tot watter soort regsbronne behoort jou antwoord in (iii)? (1)

- (b) Write a short paragraph on African indigenous law as a source of South African law (3)
Skryf 'n kort paragraaf oor Afrika-inheemse reg as 'n bron van die Suid-Afrikaanse reg. (3)

[TURN OVER]
[BLAAI OM]

- (c) Thomas Mthibe wants to follow in the footsteps of his mother, Jane, and want to become an attorney. He therefore registered as a law student at Unisa. Thomas has to submit an assignment on how to read an act and experiences difficulty in answering some of the assignment questions. He asks you to help him. What would your answers be to the following questions?

Thomas Mthibe wil graag in sy ma, Jane, se voetspore volg en 'n prokureur word. Hy het dus as regstudent by Unisa geregistreer. Thomas moet 'n opdrag indien wat handel oor die lees van 'n wet en sukkel om sommige van die opdragvrae te beantwoord. Hy vra jou om hom te help. Wat sou jou antwoorde op die volgende vrae wees?

Where will you find the following in the Choice on Termination of Pregnancy Act 92 of 1996? (2)

Waar sal jy die volgende in die Wet op Keuse oor die Beëindiging van Swangerskap 92 van 1996 vind? (2)

- (i) the name of the Act
die naam van die Wet

- (ii) the purpose of the Act
die doel van die Wet

- (iii) the underlying philosophy of the Act
die onderliggende filosofie van die Wet

- (iv) the definition clause of the Act
die woordskrywingsklousule van die Wet

[10]

[TURN OVER]
[BLAAI OM]

QUESTION 5 / VRAAG 5

- (a) Read the following scenario and answer the questions that follow
Lees die volgende scenario en beantwoord die vrae wat daarop volg:

Johan and Yonela are in an interracial relationship. One day a conservative and corrupt policeman, Mr Chabede, walks up to the couple and tells them that they are "immoral and second class citizens". He tells them that he has the power to arrest them and that he will do exactly that unless they each pay him R300.

Johan en Yonela is in 'n veelrassige verhouding. Een dag loop 'n konserwatiewe en korrupte polisieman, mnr Chabede, na hulle toe en sê dat hulle "immorele en tweedeklas landsburgers" is. Hy sê vir hulle dat hy die reg het om hulle te arresteer en dat hy voortaan presies dit sal doen, tensy hulle elkeen hom R300 betaal.

- (i) **Identify and discuss** in detail the kind of fundamental rights that will protect Johan and Yonela in this situation (5)
Identifiseer en bespreek die soort fundamentele regte wat Johan en Yonela in hierdie situasie sal beskerm volledig. (5)

[TURN OVER]
[BLAAI OM]

- (ii) What type of application of the Bill of Rights is applicable in this scenario? (1)
Watter tipe toepassing van die Handves van Regte is van toepassing in hierdie geval? (1)

- (iii) Mr Chabede argues that fundamental rights may be limited and that his conduct amounts to a justifiable limitation of Johan and Yonela's rights. How will a court determine whether a limitation is justifiable? (4)
Mnr Chabede argumenteer dat fundamentele regte beperk mag word en dat sy optrede 'n regverdigbare beperking van Johan en Yonela se regte daarstel. Hoe sal 'n hof bepaal of 'n beperking regverdigbaar is? (4)

QUESTION 6 / VRAAG 6

- (a) **What influence did constitutionalism have on the position of the death penalty in South African law? Refer to relevant case law in your discussion (5)**
Watter invloed het konstitusionalisme op die posisie van die doodstraf in die Suid-Afrikaanse reg gehad? Verwys in jou bespreking na relevante regspraak. (5)

- (b) **Melissa and Rudene have been in a same-sex relationship for the past six years. They want to get married, but are not sure whether gay people are allowed to marry. You are Melissa and Rudene's lawyer and they come to you for advice. Keeping the influence of the Constitution in mind, explain to Melissa and Rudene what their legal position is and what different options they have at their disposal regarding their union (5)**

Melissa en Rudene is in 'n enkelgeslag verhouding vir die afgelope ses jaar. Hulle wil graag trou, maar is nie seker of gay mense toegelaat word om te trou nie. Jy is Melissa en Rudene se prokureur en hulle nader jou vir advies. Deur die invloed van die Grondwet in gedagte te hou, verduidelik aan Melissa en Rudene wat hul regsposisie is en wat die verskillende opsies is wat hulle tot hul beskikking het ten aansien van hul verbintenis.

(5)

[10]

QUESTION 7 / VRAAG 7

- (a) Read the following scenario and answer the questions that follow
Lees die volgende scenario en beantwoord die vrae wat daarop volg:

The neighbour of Siphon Ngobeni, Ken Klapman, is having a loud party late one Monday night. When Siphon asks Ken to turn down the music, Ken becomes angry and hits Siphon with a bottle. Siphon suffers a deep cut to his head. He is admitted to hospital where he receives treatment for his injuries. Siphon wants to institute a case against Ken for the hospital costs, but does not know whether he should approach an attorney or an advocate for legal advice. He approaches you, a first-year law student at Unisa, and asks some questions.

[TURN OVER]
[BLAAI OM]

Die buurman van Sipho Ngobeni, Ken Klapman, hou laat een Maandagaand 'n lawaaierige partytjie. Toe Sipho vir Ken vra om die musiek sagter te sit, word Ken kwaad en slaan Sipho met 'n bottel. Sipho doen 'n diep sny aan sy kop op. Hy word in die hospitaal opgeneem waar sy beserings behandel word. Sipho wil graag 'n saak teen Ken instel vir die hospitaalkoste, maar weet nie of hy 'n prokureur of 'n advokaat vir regsadvies moet nader nie. Hy nader jou, 'n eerstejaar regstudent by Unisa, en vra 'n paar vrae.

- (i) What kind of case can arise from the treatment of Sipho's injuries? Give a reason for your answer. (2)

Watter soort saak kan voortspruit uit die behandeling van Sipho se beserings? Gee 'n rede vir jou antwoord. (2)

- (ii) Whom will Sipho have to approach for legal advice in this case – an attorney or an advocate? (1)

Wie sal Sipho moet nader vir regsadvies in hierdie saak – 'n prokureur of 'n advokaat? (1)

- (iii) Sipho does not understand the difference between an attorney and an advocate. Explain to him what the differences are with reference to academic and professional requirements, their functions, their right of appearance in the courts and membership of professional bodies (4)

Sipho verstaan nie die verskil tussen 'n prokureur en 'n advokaat nie. Verduidelik aan hom die verskille met verwysing na akademiese en professionele vereistes, hulle funksies, hulle verskyningsbevoegdheid in die hofe en lidmaatskap van professionele liggame. (4)

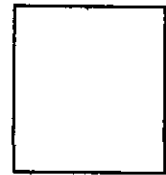
[TURN OVER]
[BLAAI OM]

- (iv) Who will be the parties in this case? (1)
 Wie sal die partye in hierdie saak wees? (1)

- (v) What will the onus of proof be in this case and on which party will it rest? (2)
Wat sal die bewyslas in hierdie saak wees en op watter party sal dit rus? (2)

[10]

TOTAL SECTION A [70]
TOTAAL: AFDELING A: [70]



[TURN OVER]
[BLAAI OM]

**SECTION B
AFDELING B**

This section consists of 15 multiple-choice questions. You must choose ONE statement as your answer for each question and then mark it on the mark-reading sheet. Each question counts **TWO** marks. In this section you must mark your answers with an HB PENCIL on the MARK-READING SHEET provided. PLEASE READ THE INSTRUCTIONS on the mark-reading sheet carefully before you fill in your answers. The following **unique number** must be filled in on the mark-reading sheet: **476637**. Hierdie afdeling bestaan uit 15 meervoudige keuse-vrae. Jy moet EEN stelling as jou antwoord vir elke vraag kies en dan jou antwoord op die merkleesblad merk. Elke vraag tel **TWEE** punte. In hierdie afdeling moet jy jou antwoorde met 'n HB-POTLOOD op die MERKLEESBLAD wat voorsien word, merk. LEES ASSEBLIEF DIE INSTRUKSIES op die merkleesblad noukeurig voordat jy jou antwoorde invul. Die volgende **unieke nommer** moet op die merkleesblad ingevul word: **476637**.

QUESTION 1 / VRAAG 1

Which of the following is not a characteristic of the law?

- (1) The law governs human conduct
- (2) The law functions through political institutions
- (3) The law is enforced by state organs
- (4) The law must be obeyed by the whole society

Watter van die volgende is **nie** 'n eienskap van die reg **nie**?

- (1) Die reg beheer menslike gedrag.
- (2) Die reg funksioneer deur politieke instansies.
- (3) Die reg word deur staatsorgane afgedwing.
- (4) Die reg moet deur die hele samelewing gehoorsaam word.

QUESTION 2 / VRAAG 2

Formal law refers to:

- (1) The rules that determine how court cases are decided
- (2) Legislation that governs human conduct.
- (3) The part of the law that determines the meaning of legal rules
- (4) The part of the law that deals with the relationship between individuals.

[TURN OVER]
[BLAAI OM]

Formele reg verwys na:

- (1) Die reëls wat bepaal hoe hofsake beslis word.**
- (2) Wetgewing wat menslike gedrag beheer.**
- (3) Die deel van die reg wat die betekenis van regsreëls bepaal.**
- (4) Die deel van die reg wat handel oor die verhouding tussen individue.**

QUESTION 3 / VRAAG 3

Rights are put into particular groups and we do this by deciding what type of right it is. Which of the following is **not** a type of right?

- (1) Personal right
- (2) Personality right
- (3) Individual right
- (4) Immaterial property right

Regte word in spesifieke groepe geplaas deur te besluit watter tipe reg dit is. Watter van die volgende is nie 'n tipe reg nie?

- (1) Persoonlike reg**
- (2) Persoonlikheidsreg**
- (3) Individuele reg**
- (4) Immaterieelgoederereg**

QUESTION 4 / VRAAG 4

Consider the following **two** statements pertaining to the connection between law and right

- (a) The law balances the interests of individuals.
- (b) The law dictates what the content of a right is

Which option is **correct**?

- (1) (a) and (b) are correct
- (2) (a) and (b) are incorrect
- (3) (a) is correct, (b) is incorrect
- (4) (a) is incorrect, (b) is correct

[TURN OVER]
[BLAAI OM]

Oorweeg die volgende twee stellings met betrekking tot die verband tussen die reg (*law*) en 'n reg (*right*):

- (a) Die reg weeg die belange van individue teen mekaar op.
- (b) Regsreëls bepaal wat die inhoud van 'n reg is.

Watter opsie is korrek?

- (1) (a) en (b) is korrek.
- (2) (a) en (b) is verkeerd.
- (3) (a) is korrek; (b) is verkeerd.
- (4) (a) is verkeerd; (b) is korrek.

QUESTION 5 / VRAAG 5

What did the reception of Roman law cause in the Netherlands?

- (1) the creation of a common Western legal tradition
- (2) the creation of a common European legal tradition
- (3) the creation of the Roman-Dutch law
- (4) the creation of the Dutch law

Wat het die resepsie van die Romeinse reg in Nederland tot gevolg gehad?

- (1) die ontstaan van 'n gemeenskaplike Westerse regstradisie
- (2) die ontstaan van 'n gemeenskaplike Europese regstradisie
- (3) die ontstaan van die Romeins-Hollandse reg
- (4) die ontstaan van die Nederlandse reg

QUESTION 6 / VRAAG 6

The following legal disciplines fall within public law

- (1) private international law, administrative law, criminal law
- (2) mercantile law, constitutional law, law of obligations
- (3) family law, law of succession, law of patrimony
- (4) international law, law of procedure, criminal law

Die volgende regsdisiplines val binne die publiekreg:

- (1) internasionale privaatreë, administratiewereg, strafreg
- (2) handelsreg, staatsreg, verbintenisreg
- (3) familiereg, erfreg, vermoënsreg
- (4) volkereë, prosesreg, strafreg

QUESTION 7 / VRAAG 7

Consider the following **two** statements

- (a) Constitutional law is concerned with the institution and organisation of the state as well as the governing of state powers
- (b) Constitutional law controls the administration of the state in general, but in particular controls the state's relationships with citizens

Which option is **correct**?

- (1) (a) and (b) are correct
- (2) (a) and (b) are incorrect.
- (3) (a) is correct; (b) is incorrect
- (4) (a) is incorrect; (b) is correct

Oorweeg die volgende twee stellings:

- (a) Staatsreg hou verband met die instelling en die organisasie van die staat asook die beheer van staatsorgane.
- (b) Staatsreg beheer die administrasie van die staat oor die algemeen, maar beheer veral die staat se verhoudinge met burgers.

Watter opsie is korrek?

- (1) (a) en (b) is korrek.
- (2) (a) en (b) is verkeerd.
- (3) (a) is korrek; (b) is verkeerd.
- (4) (a) is verkeerd; (b) is korrek.

QUESTION 8 / VRAAG 8

Consider the following case reference and complete the sentence by choosing the **correct** option

In the case of *Naude and Another v Fraser* 1998 (4) SA 539 (SCA), **1998** refers to the year in which the . .

- (1) case was decided
- (2) case commenced
- (3) case was reported
- (4) case was postponed

[TURN OVER]
[BLAAI OM]

Oorweeg die volgende saakverwysing en voltooi die sin deur die korrekte opsie te kies:

In die saak van *Naude and Another v Fraser* 1998 (4) SA 539 (SCA) verwys 1998 na die jaar waarin die...

- (1) saak beslis is.
- (2) saak aanvang geneem het.
- (3) saak gerapporteer is.
- (4) saak uitgestel is.

QUESTION 9 / VRAAG 9

The Constitution has set up a number of state institutions to support our democracy Which of the following is not such an institution?

- (1) South African Revenue Service
- (2) Commission for Gender Equality
- (3) Electoral Commission
- (4) Auditor-General

Ingevolge die Grondwet is 'n aantal staatsinstellings tot stand gebring ter ondersteuning van ons demokrasie. Watter van die volgende is nie so 'n instelling nie?

- (1) Suid Afrikaanse Inkomstediens
- (2) Kommissie vir Geslagsgelykheid
- (3) Verkiesingskommissie
- (4) Ouditeur-generaal

QUESTION 10 / VRAAG 10

In what chapter of the Constitution will you find the Bill of Rights?

- (1) Chapter 1
- (2) Chapter 2
- (3) Chapter 3
- (4) None of the above

In watter hoofstuk van die Grondwet sal jy die Handves van Regte vind?

- (1) Hoofstuk 1
- (2) Hoofstuk 2
- (3) Hoofstuk 3
- (4) Geeneen van bogenoemde nie

[TURN OVER]
[BLAAI OM]

QUESTION 11 / VRAAG 11

Certain rights contained in the Bill of Rights are non-derogable. Which of the following rights is protected in its entirety?

- (1) right to equality
- (2) right to human dignity
- (3) right to freedom and security of the person
- (4) right to property

Sekere regte vervat in die Handves van Regte is nie aantasbaar nie. Watter van die volgende regte word geheel en al beskerm?

- (1) reg op gelykheid
- (2) reg op menswaardigheid
- (3) reg op vryheid en sekerheid van die persoon
- (4) reg op eiendom

QUESTION 12 / VRAAG 12

In what section of the Constitution will you find the limitation clause?

- (1) Section 9
- (2) Section 13
- (3) Section 26
- (4) None of the above

In watter artikel van die Grondwet sal jy die beperkingsklousule vind?

- (1) Artikel 9
- (2) Artikel 13
- (3) Artikel 26
- (4) Geeneen van bogenoemde nie

QUESTION 13 / VRAAG 13

Mr Ngcobo reads through his grandson's study guide for Introduction to Law. He comes across the factors that determine a court's jurisdiction in a case. He asks his grandson what these factors would be in a civil case.

The correct answer is

- (1) the court's competence to hear the case
- (2) the nature of the court proceedings
- (3) the type of offence and the sentence
- (4) the nature of relief and the amount claimed

[TURN OVER]
[BLAAI OM]

Mr Ngcobo lees deur sy kleinseun se studiegids vir Inleiding tot die Reg. Hy kom die by die faktore wat 'n hof se jurisdiksie in 'n saak bepaal. Hy vra sy kleinseun wat hierdie faktore sou wees in 'n siviele saak.

Die korrekte antwoord is:

- (1) die hof se bevoegdheid om die saak aan te hoor**
- (2) die aard van die hofverrigtinge**
- (3) die aard van die oortreding en die straf**
- (4) die aard van die eis en die bedrag wat geëis word**

QUESTION 14 / VRAAG 14

The opposing parties in a criminal case can possibly be known as

- (1) plaintiff and accused
- (2) applicant and defendant
- (3) appellant and respondent
- (4) state and defendant

Die opponerende partye in 'n strafsak kan moontlik bekend staan as:

- (1) eiser en beskuldigde**
- (2) applikant en verweerder**
- (3) appellant en respondent**
- (4) staat en verweerder**

QUESTION 15 / VRAAG 15

Jennifer was involved in a car accident and sustained serious injuries. She wants to institute a claim of R2 million against the driver of the other car. Which court has the highest authority to decide on a case like Jennifer's?

- (1) Magistrate's Court
- (2) High Court
- (3) Supreme Court of Appeal
- (4) Constitutional Court

[TURN OVER]
[BLAAI OM]

Jennifer was in 'n motorongeluk betrokke en het ernstige beserings opgedoen. Sy wil 'n eis instel van R2 miljoen rand teen die bestuurder van die ander motor. Watter hof het die hoogste gesag om 'n beslissing te maak in 'n saak soos Jennifer s'n?

- (1) Landdroshof**
- (2) Hooggeregshof**
- (3) Hoogste Hof van Appèl**
- (4) Konstitusionele Hof**

**TOTAL SECTION B 15 x 2 = [30]
TOTAAL: AFDELING B: 15 x 2 = [30]**

**TOTAL 100
TOTAAL: 100**

