SENIOR CERTIFICATE EXAMINATION
SENIORSERTIFIKAAT-EKSAMEN

FEBRUARY / FEBRUARIE
MARCH / MAART

2005

STATUTE LAW

WETTEREG

SG 904-2/0

5 pages
5 bladsye

STATUTE LAW SG

904 2 0 SG

X05

COPYRIGHT RESERVED / *KOPIEREG VOORBEHOU*
APPROVED BY UMALUSI / *GOEDGEKEUR DEUR UMALUSI*

GAUTENGSE DEPARTEMENT VAN ONDERWYS
SENIORSERTIFIKAAT-EKSAMEN

WETTEREG SG

TYD: 3 uur

PUNTE: 300

BEANTWOORD AL DIE VRAE.

VRAAG 1

Noem die verwere van 'n persoon wat ingevolge die Wet op Seksuele Misdrywe, 1957 (Wet 23 /1957) aangekla staan omdat hy 'n seksuele misdryf ten opsigte van 'n seun of meisie onder 'n bepaalde ouderdom gepleeg het, kan aanvoer.

10 x 2 = (20)

VRAAG 2

Ingevolge die Wet op Seksuele Misdrywe, 1957 (Wet 23/1957) word sekere seksuele handelinge met meisies en seuns onder sekere ouderdomme as misdrywe beskou. Gee 'n uiteensetting van die bepalings. Die verwere wat aangevoer kan word, word nie vereis nie.

10 x 2 = (20)

VRAAG 3

Gee 'n uiteensetting van die bepalings van die Wet op Wapens en Ammunisie, 1969 (Wet 75/1969) met betrekking tot die verlies van wapens.

10 x 2 = (20)

VRAAG 4

Gee 'n uiteensetting van die Wet op verbod van Vermomming, 1969 (Wet 16/ 1969) wat 'n vermomming van 'n persoon as 'n misdaad verklaar. Die bepalings met betrekking tot die bewyslas word nie benodig nie.

9 x 2 = (18)

GAUTENG DEPARTMENT OF EDUCATION
SENIOR CERTIFICATE EXAMINATION

STATUTE LAW SG

TIME: 3 hours

MARKS: 300

ANSWER ALL THE QUESTIONS.

QUESTION 1

Give the defences which may be raised by a person charged under Sexual Offences Act, 1957 (Act 23/1957) that he had committed a sexual offence with a boy or a girl under a certain age.

10 x 2 = (20)

QUESTION 2

Certain sexual acts with girls and boys under certain ages constitute offence in terms of the Sexual Offences Act (Act 23/1957). Give an exposition of the relevant provisions. The defences that may be advanced are not required.

10 x 2 = (20)

QUESTION 3

Give an exposition of the provisions of the Arms and Ammunition Act, 1969 (Act 75/1969) with regard to the loss of fire-arms.

10 x 2 = (20)

QUESTION 4

Give an exposition of the Act on the Prohibition of Disguises, 1969 (Act 16/1969) which declares the disguise of a person an offence. The provisions regarding the onus of proof are not required.

9 x 2 = (18)

VRAAG 5

Noem die vereistes ingevolge Artikel 38A van die Wet op Wapens en Ammunisie 1969 (Wet 75/1969) in verband met pistole, rewolwers en enige ander wapens in in 'n openbare plek.

13 x 2 = (26)

VRAAG 6

Dui aan of die volgende stellings **WAAR** of **ONWAAR** is. (Moenie bespreek nie.)

6.1 **PADVERKEERWET, 1989 (WET 29/1989)**

'n Sleepwa kan omskryf word as 'n voertuig. (2)

6.2 **WET OP GEVAARLIKE WAPENS (WET 71/1968)**

'n Gevaarlike wapen kan omskryf word as enige voorwerp, behalwe 'n vuurwapen, wat waarskynlik ernstige liggaamlike letsels sal veroorsaak indien dit gebruik sou word om aanranding te pleeg. (2)

6.3 **WET OP GEESTESGESONDHEID 1973 (WET 18/1973)**

Artikel 14(2) bepaal dat 'n polisiebeampte 'n persoon wat geestesongesteld is en vir homself en ander 'n gevaar is na 'n distriksgeneesheer moet neem. (2)

6.4 **WET OP WAPENS EN AMMUNISIE 1969 (WET 75/1969)**

Geen persoon mag in besit wees van ammunisie tensy hy regmatig 'n vuurwapen besit wat daardie ammunisie kan afvuur nie. (2)

6.5 **WET OP SEKSUELE MISDRYWE 1957 (WET 23/1957)**

Die volgende persone word geag om 'n bordeel te hou: iemand wat by 'n bordeel gevind word en iemand wat weier om die naam en identiteit van die bestuurder daarvan te openbaar. (2)

[10]

VRAAG 7

Beskryf die polisie se bevoegdheid ingevolge die Wet op Misbruik van Afhanklikheidsvormende stowwe en Rehabilitasiesentrums, 1971 (Wet 41 van 1971) met betrekking tot betreding en deursoeking. 10 x 2 = (20)

QUESTION 5

Name the requirements in terms of Section 38A of the Arms and Ammunition Act 1969 (Act 75/1969) regarding pistols, revolvers and any other arms in a public place.

13 x 2 = (26)

QUESTION 6

Indicate whether the following statements are **TRUE** or **FALSE.** (Do not discuss)

6.1 **ROAD TRAFFIC ACT 1989 (ACT 29/1989)**

A trailer can be defined as a motor vehicle. (2)

6.2 **DANGEROUS WEAPONS ACT (ACT 71/1968)**

A dangerous weapon can be defined as any object, other than a fire-arm, which is likely to cause serious bodily injury if it is used to commit an assault. (2)

6.3 **MENTAL HEALTH ACT 1973 (ACT 18/1973)**

Section 14(2) stipulates that a police official should take a mentally ill person who is a danger to himself or to others to the district surgeon. (2)

6.4 **ARMS AND AMMUNITION ACT 1969 (ACT 75/1969)**

No person shall be in possession of any ammunition unless he is in lawful possession of an arm capable of firing that ammunition. (2)

6.5 **SEXUAL OFFENCES ACT 1957 (ACT 23/1957)**

The following persons are deemed to keep a brothel: any person who resides in a brothel, any person found in a brothel who refuses to disclose the name and identity of the manager thereof. (2)

[10]

QUESTION 7

Describe the powers of the police in accordance with the Abuse of Dependence-producing Substances and Rehabilitation Centres Act, 1971 (Act 41/1971) with regard to entering and search.

10 x 2 = (20)

VRAAG 8

Die Dierebeskermingswet, 1962 (Wet 71/1962) bepaal dat 'n polisiebeampte 'n dier onder sekere omstandighede kan afmaak. Haal die betrokke bepalings aan.

14 x 2 = (28)

VRAAG 9

MELD SLEGS DIE NOMMER VAN DIE VRAAG EN DIE ONTBREKENDE WOORD(E), BYVOORBEELD: p. landdros.

WET OP GEESTESGESONDHEID, 1973 (18 /1973) (<u>ARTIKEL 14</u>)

9.1 Indien 'n polisiebeampte (a) .... vermoed dat iemand, wat nie (b) .... nie, (c) .... is en verwaarloos of (d) .... word deur iemand wat die sorg of (e) .... oor hom het; of nie onder veilige en (f) .... toesig, sorg of (g) .... is nie; of geestesongesteld is en (h) .... en nie instaat is om vir homself te (i) ....nie, moet so 'n polisiebeampte om 'n (j) .... ten opsigte van bedoelde persoon aansoek doen of aansoek laat doen.

9.2 Indien 'n polisiebeampte redelikerwys vermoed dat iemand (k) ... is en vir homself en ander 'n (l) ... is, moet so 'n polisiebeampte so 'n persoon (m) ... ... en aanhou en die aangeleentheid onverwyld aan 'n (n) ... van die distrik waarin bedoelde persoon is, rapporteer.

14 x 2 = (28)

VRAAG 10

Omskryf die volgende ingevolge die Wet op Seksuele Misdrywe (Wet 23 van 1957).

(a) Bordeel (5)

(b) Huis (2)

(c) Ontug (1)

(d) Plek (2)

10 x 2 = **(20)**

VRAAG 11

Omskryf "Dier" ingevolge die Dierebeskermingswet, 1962 (Wet 71/1962). 9 x 2 = (18)

QUESTION 8

The Animal Protection Act, 1962 (Act 71/1962) provides that a policeman may destroy an animal under certain circumstances. Quote the relevant provisions.

14 x 2 = (28)

QUESTION 9

QUOTE THE QUESTION NUMBER AND MISSING WORD(S) ONLY, EXAMPLE: p. magistrate

MENTAL HEALTH ACT, 1973 (18 /1973) (<u>SECTION 14</u>)

9.1 If a police official (a) .... believes that any person (b) ....is (c) .... and is being neglected or (d) .... by any person having the care or (e) .... of him; or is not under safe and (f) .... supervision, care or (g) ....; or is mentally ill and is (h) .... and is unable to (i) ....of himself, such police official shall forthwith apply for (j) .... in respect of such person or cause such an application to be made.

9.2 If a police official reasonably believes that a person is (k) ... and is a/an (l) ... to himself or to others, such police official shall (m) ... ... and detain such person and forthwith report the matter to a (n) ... of the district in which such person is.

14 x 2 = (28)

QUESTION 10

Define the following in terms of the Sexual Offences Act (Act 23/1957).

(a) Brothel (5)

(b) House (2)

(c) Unlawful carnal intercourse (1)

(d) Place (2)

10 x 2 = (20)

QUESTION 11

Define "Animal" in terms of the Animals Protection Act, 1962 (Act 71/1962).

9 x 2 = (18)

VRAAG 12

Omskryf die volgende ingevolge die Wet op Wapens en Ammunisie, 1969 (Wet 75/ 1969)

(a) Ammunisie (2)

(b) Wapen (8)

10 x 2 = **(20)**

VRAAG 13

Omskryf die volgende ingevolge die Wet op Veediefstal, 1977 (Wet 87/1977)

(a) Produkte (2)

(b) Vee (4)

6 x 2 = **(12)**

VRAAG 14

Omskryf "gevangene" ingevolge die Wet op Gevangenisse, 1959 (Wet 8/1959)

10 x 2 = (20)

VRAAG 15

Omskryf "goedere" ingevolge die Wet op Tweedehandse Goed, 1955 (Wet 23/1955)

10 x 2 = (20)

TOTAAL: [300]

EINDE

QUESTION 12

Define the following in terms of the Arms and Ammunition Act, 1969, (Act 75/ 1969)

(a) Ammunition (2)

(b) Arms (8)

10 x 2 = (20)

QUESTION 13

Define the following in terms of the Stock Theft Act, 1977 (Act 87/1977)

(a) Produce (2)

(b) Stock (4)

6 x 2 = (12)

QUESTION 14

Define "prisoner" in terms of the Prisons Act, 1959 (Act 8/1959)

10 x 2 = (20)

QUESTION 15

Define "goods" in terms of the Second-Hand Goods Act, 1955 (Act 23/1955)

10 x 2 = (20)

TOTAL: [300]

END