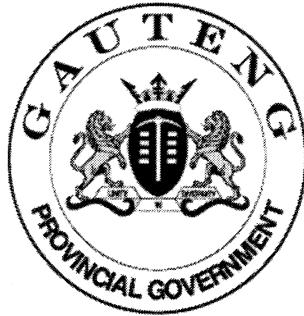


**SENIOR CERTIFICATE EXAMINATION  
SENIORSERTIFIKAAT-EKSAMEN**



**OCTOBER / NOVEMBER  
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**2004**

**STATUTE LAW/  
WETTEREG**



**904-2/0**

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## GAUTENGSE DEPARTEMENT VAN ONDERWYS

## SENIORSERTIFIKAAT-EKSAMEN

WETTEREG SG

TYD: 3 uur

PUNTE: 300

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**BEANTWOORD AL DIE VRAE .**

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**VRAAG 1**

Kragtens die Wet op Seksuele Misdrywe 1957 (Wet 23/1957) is seksuele dade met vroulike idiote of swaksinniges 'n misdryf. Sit volledig uiteen.

6 x 2 = (12)

**VRAAG 2**

Omskryf "Dier" ingevolge die Dierebeskermingswet, 1962 (Wet 71/1962).

12 x 2 = (24)

**VRAAG 3**

Omskryf die stappe wat 'n landdros kan neem ingevolge Artikel 8 van die Wet Op Seksuele Misdrywe (Wet 23/1957) wanneer hy 'n klagte ontvang dat 'n huis as bordeel gebruik word.

10 x 2 = (20)

**VRAAG 4**

Gee 'n uiteensetting van die bepalings van artikel 29 van die Wet op Korrektiewe Dienste (Wet 8/1959) met betrekking tot die aanhouding van onveroordeelde jeugdige persone en vroue.

8 x 2 = (16)

GAUTENG DEPARTMENT OF EDUCATION  
SENIOR CERTIFICATE EXAMINATION

STATUTE LAW SG

TIME: 3 hours

MARKS: 300

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ANSWER ALL THE QUESTIONS.

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**QUESTION 1**

In terms of the Sexual Offences Act, 1957 (Act 23/1957) sexual acts with female idiots or imbeciles constitutes an offence. Set out in full.

6 x 2 = (12)

**QUESTION 2**

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

12 x 2 = (24)

**QUESTION 3**

**SEXUAL OFFENCES ACT NO 23 OF 1957**

Describe the steps that a magistrate may take in terms of Section 8 of the Sexual Offences Act (Act 23/1957) upon receiving a complaint that a house is used as brothel.

10 x 2 = (20)

**QUESTION 4**

Give an exposition of the provisions of section 29 of the Correctional Services Act (Act 8/1959) with regard to detention of un-convicted young persons and women.

8 x 2 = (16)

**VRAAG 5**

Bespreek die bepalings van artikel 12 van die Wet op Kindersorg (Wet 74/1983) met betrekking tot die verwydering van 'n kind na 'n veiligheidsplek hangende ondersoek. Bespreek ook die optrede na voormelde verwydering.

11 x 2 = (22)

**VRAAG 6****OMHEININGSWET, WET 31 VAN 1963**

Meld slegs die nommer van die vraag en die ontbrekende woord(e).

Byvoorbeeld: (s) bees.

Iemand wat 'n hek in 'n heining oopmaak en (a) .... of los laat bly; of wat hy oop aantref as hy daardeur gaan, nie (b) ... en .... nie, is skuldig aan 'n misdryf. Iemand wat oor of deur 'n heining of hek klim of (c) .... sonder die toestemming van die (d) .... of huurder van die grond waarop sodanige heining of hek geleë is, is aan 'n misdryf skuldig.

Iemand wat 'n heining of hek of 'n toestel wat deel uitmaak of in die plek dien van 'n (e) .... opsetlik beskadig of (f) ... is aan 'n misdryf skuldig.

Iemand wat 'n heining of hek op 'n hoewe of op 'n (g) .... binne die grense van 'n hoewe onopsetlik beskadig, moet die skade onverwyld (h) ... of, indien hy nie in staat is om dit te herstel nie, die skade en sy onvermoë om dit te herstel aan die eienaar of 'n (i) .... van die eiendom (j) .... en die som wat redelikerwys voldoende is om die (k) ..... te dek, deponeer of sekuriteit daarvoor gee, en vervolgens moet die eienaar of sodanige huurder op versoek die ontvangs van die gedeponeerde of versekerde som (l) ... erken.

Iemand wat sonder (m) .... oor of deur 'n heining of hek geklim of gekruip het of wat 'n heining of (n) .... beskadig het of versuim om op versoek van die (o).... of huurder van die grond waarop dit geleë is of van iemand deur die (p) ... of huurder daartoe gemagtig, sy korrekte naam en adres te verstrek, is aan 'n misdryf skuldig.

16 x 2 = (32)

**QUESTION 5**

Discuss the removal of a child to a place of safety pending an enquiry in terms of section 12 of the Child Care Act (Act 74/1983), Discuss the procedure to be followed after such removal as well.

11 x 2 = (22)

**QUESTION 6****FENCING ACT 31 OF 1963**

Write down the number and missing word(s). Example: (s) cow.

Any person who opens and (a).... or unfastened; or finding open on passing through, neglects to (b) .... and ....., a gate in any fence shall be guilty of an offence.

Any person who climbs or (c) ... over or through any fence or gate without the permission of the (d) ... or lessee of the land upon which such fence or gate is situated, shall be guilty of an offence.

Any person who wilfully damages or (e) .... any fence or gate or any contrivance forming part or serving the purpose of a/an (f) ..., shall be guilty of the offence.

Any person who unintentionally damages any fence or gate situated on a holding or on a/an (g) .... within a holding, shall forthwith (h) ... the damage or, if he is unable to repair it, (i) .... the damage and his inability to repair it to the owner or any

(j) ... of the holding and deposit or give security for such sum as may be reasonably sufficient to cover the cost of the (k) ..., and the owner or such lessee shall thereupon on request give such person a/an (l) ... acknowledgement of the sum deposited or secured.

Any person who, having climbed or crawled over or through any fence or gate without (m) ....., or having damaged any fence or (n) ....., fails to give his correct name and address, on request by the (o) ... or lessee of the land on which such offence or gate is situated or by some person authorised thereto by such (p) ... or lessee, shall be guilty of an offence.

16 x 2 = (32)

**VRAAG 7****WET OP GEVAARLIKE WAPENS, WET 71 VAN 1968**

Definieer “gevaarlike wapen”.

4 x 2 = (8)

**VRAAG 8****DIEREBESKERMINGSWET 71 VAN 1962**

Definieer “eienaar” soos omskryf in bogemelde wet.

4 x 2 = (8)

**VRAAG 9****MELD OF DIE VOLGENDE STELLINGS “WAAR” OF “ONWAAR” IS.  
(MOENIE BESPREEK NIE)****WET OP WAPENS EN AMMUNISIE, WET 75 VAN 1969.**

- 9.1 'n “Wapen” sluit nie 'n kanon in nie. (2)
- 9.2 Definisie van 'n “wapen” sluit 'n rewolwer in. (2)
- 9.3 Die loop van 'n vuurwapen is ook 'n wapen. (2)
- 9.4 Ammunisie sluit in 'n patroon of slagdoppie bestem om by die afskiet van 'n wapen gebruik te word. (2)
- 9.5 Die definisie van 'n “wapen” sluit nie 'n masjiengeweer in nie. (2)

**WET OP GEESTESGESONDHEID, WET 18 VAN 1973**

- 9.6 'n Polisiebeampte wat redelikerwys vermoed dat 'n persoon geestesongesteld is en gevaar vir ander inhou, moet so 'n persoon in bewaring neem en aanhou. (2)

**DRANKWET, WET 27 VAN 1989**

- 9.7 'n Kroeg op 'n gelisensieerde perseel word beskou as 'n “beperkte deel”. (2)
- 9.8 'n Lisensiehouer mag nie drank verkoop aan persone onder 18 jaar nie, selfs wanneer vergesel word deur 'n volwassene. (2)
- 9.9 'n Agent van die lisensiehouer mag toegang aan enige persoon tot die gelisensieerde perseel weier. (2)

**QUESTION 7****ACT ON DANGEROUS WEAPONS (ACT 71/1968)**

Define "dangerous weapon".

4 x 2 = (8)

**QUESTION 8****ANIMALS PROTECTION ACT 71 OF 1962**

Define "owner" in terms of the above-mentioned act.

4 x 2 = (8)

**QUESTION 9**

**INDICATE WHETHER THE FOLLOWING IS "TRUE OR FALSE".  
(DO NOT DISCUSS)**

**ARMS AND AMMUNITION ACT 75 OF 1969**

- 9.1 "Arm" does not include a cannon. (2)
- 9.2 The definition of an "arm" includes a revolver. (2)
- 9.3 The barrel of an arm can be considered as a weapon. (2)
- 9.4 Ammunition includes any cartridge or percussion cap intended for use in the discharge of an arm. (2)
- 9.5 The definition of an "arm" does not include a machine gun. (2)

**MENTAL HEALTH ACT 18 OF 1973**

- 9.6 If a police official reasonably believes that a person is mentally ill and is a danger to himself or to others, such police official shall apprehend and detain such a person. (2)

**LIQUOR ACT, NO 27 OF 1989**

- 9.7 A bar on a licensed premises is regarded a "restricted part". (2)
- 9.8 A holder of a licence may not sell liquor to persons under the age of 18 years even if accompanied by an adult. (2)
- 9.9 An agent of the holder of a licence may refuse to admit any person to the licensed premises. (2)

- 9.10 'n Polisiebeampte mag 'n gelisensieerde perseel binnegaan met die doel om die drank voorraad te inspekteer. (2)
- 9.11 'n Polisiebeampte mag die naam en adres van enige persoon vra wat hy vind op die perseel waar hy op drank beslag gelê het. (2)
- 9.12 'n Persoon wat dronk is by 'n resiesbaan, maak homself skuldig aan 'n misdryf. (2)

### **PADVERKEERSWET, WET 29 VAN 1989**

- 9.13 'n Bestuurder is 'n persoon wat enige voertuig bestuur of probeer bestuur. (2)
- 9.14 'n Openbare pad sluit in 'n deurgang wat normaalweg deur die publiek gebruik word. (2)
- 9.15 'n Voetgang is enige gedeelte van 'n openbare pad wat deur toepaslike verkeerstekens as 'n voetgang aangedui word. (2)
- 9.16 'n Sleepwa is nie 'n motorvoertuig nie. (2)
- 9.17 'n Persoon van 17 jaar oud mag 'n bestuurderslisensie vir 'n motorvoertuig verkry. (2)
- 9.18 'n Bestuurder mag sy voertuig tot stilstand bring op die ryvlak van 'n openbare pad binne vyf meter vanaf 'n tunnel. (2)

### **WET OP DIE VERBOD VAN VERMOMMINGS, WET 16 VAN 1969**

- 9.19 'n Vermomming wat nie effektief is nie, stel nie 'n misdryf daar nie. (2)

[38]

## **VRAAG 10**

### **WET OP TWEEDEHANDSE GOED, WET 23 VAN 1955**

Sekere goedere word uitgesluit van die bepalings van die Wet.  
Noem **SEWE** daarvan.

7 x 2 = (14)

## **VRAAG 11**

Omskryf "drank" ingevolge die Drankwet, 1989 (Wet 27/1989).

9 x 2 = (18)



- 9.10 A police officer may enter a licensed premises for the purpose of inspecting the liquor stock. (2)
- 9.11 A police officer may demand the name and address of any person whom he finds on the premises where he seizes liquor. (2)
- 9.12 Any person who is drunk at a race-course shall be guilty of an offence. (2)

**ROAD TRAFFIC ACT, ACT 29 OF 1989**

- 9.13 A driver means any person who drives or attempts to drive any vehicle. (2)
- 9.14 A public road includes a thoroughfare which is commonly used by the public. (2)
- 9.15 A pedestrian crossing means any portion of a public road designated as a pedestrian crossing by appropriate road traffic signs. (2)
- 9.16 A trailer is not a motor vehicle. (2)
- 9.17 A person that is 17 years of age may obtain a driver's licence for a motor vehicle. (2)
- 9.18 A driver may stop his vehicle on the roadway of a public road within five metres of a tunnel. (2)

**PROHIBITION OF DISGUISES ACT, ACT 16 OF 1969**

- 9.19 A disguise that is not effective, does not constitute an offence. (2)

[38]

**QUESTION 10**

**SECOND HAND GOODS ACT, ACT 23 OF 1955**

Certain goods are excluded from the provisions of this Act.  
Name **SEVEN** of these.

7 x 2 = (14)

**QUESTION 11**

Define "liquor" according to the Liquor Act 1989 (Act 27/1989).

9 x 2 = (18)

**VRAAG 12**

Omskryf die volgende ingevolge die Wet op Kindersorg, 1983 (Wet 74/ 1983).

- (a) Verbeteringskool (5)
- (b) Veiligheidsplek (3)
- (c) Kind (1)
- (d) Nywerheidskool (5)

14 x 2 = (28)

**VRAAG 13**

- 13.1 Gee 'n uiteensetting van die bepalings van artikel 46 van die Drankwet (Wet 27/1989) met betrekking tot toeganklikheid aan gelisensieerde persele. (30)
- 13.2 Noem enige **TWAALF** misdrywe wat in artikel 154 van die Drankwet (Wet 27/1989) uiteengesit is. (30)

[60]

**TOTAAL: [300]**

**EINDE**

**QUESTION 12**

Define the following in terms of the Child Care Act, 1983 (Act 74/1983).

- (a) Reform School (5)
- (b) Place of Safety (3)
- (c) Child (1)
- (d) School of Industries (5)

14 x 2 = (28)

**QUESTION 13**

- 13.1 Give an exposition of the stipulations of section 46 of the Liquor Act 1989 (Act 27/1989) regarding the accessibility to licensed premises. (30)
  - 13.2 Name any **TWELVE** offences which are stipulated in section 154 of the Liquor Act. (Act 27/1989) (30)
- [60]

**TOTAL: [300]**

**END**