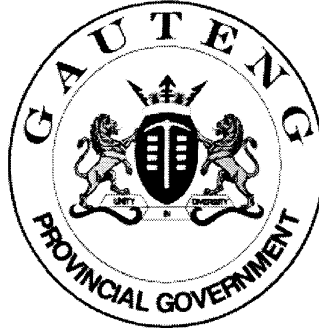


# SENIOR CERTIFICATE EXAMINATION



FEBRUARY / MARCH

2007

SOUTH AFRICAN  
CRIMINAL LAW

**SG**

903-2/0 E

SA CRIMINAL LAW SG



903 2 0E

SG

X05



COPYRIGHT RESERVED  
APPROVED BY UMALUSI

6 pages





S.A. CRIMINAL LAW  
STANDARD GRADE

SENIOR CERTIFICATE EXAMINATION

MARCH 2007

TIME: 3 HOURS

MARKS: 300

**INSTRUCTIONS:**

1. Answer all **FIVE** questions in your **examination script**.
2. Read the questions carefully and answer **only** what is requested.
3. Plan the **length** of answers according to the **marks** allocated to the questions concerned.
4. It is in your own interest to write **legibly** and to present your work **neatly**.

**QUESTION 1**

- 1.1 Name **FIVE** characteristics of legal rules. (10)
- 1.2 Discuss common law as a source of criminal law. (30)
- 1.3 Name **FOUR** objectives of punishment by the State and discuss each briefly. (16)
- [56]**

**QUESTION 2**

- 2.1 Write down only the number of the word/phrase in COLUMN A and next to it the letter of the appropriate answer from COLUMN B, e.g. 10(j).

COLUMN A	COLUMN B
1. An act which can only be a delict	(a) Tracing of alleged criminals
2. The way in which legal rules are created	(b) Delict
3. Common law	(c) Negligent damage to property
4. Criminalistic	(d) Can only be a crime
5. An element of crime	(e) Rape
6. Compensation for damage is relevant	(f) Unwritten law
7. May be a crime as well as a delict	(g) Unlawfulness
8. Contempt of court	(h) Crime has lapsed
9. Prescription	(i) Sources of origin
10. Abrogation	(j) Abolished by custom

(18)

- 2.2 Name **EIGHT** grounds of justification. (16)
- 2.3 Name **TEN** requirements that must be met by consent to injury to succeed as a ground of justification. (20)
- [54]**

## QUESTION 3

3.1 The phrase '*intentional causing the death of a human being*', is part of the definition of the crime **MURDER**.

Name only the **crime** that represents each of the following phrases:

- 3.1.1 '*... bargains with another person ...not to report ...*'  
 3.1.2 '*... entering into an agreement to accept a consideration by an official ...*'  
 3.1.3 '*... negligent causing of the death ...*'  
 3.1.4 '*... deprivation of a parent or guardian's control over a child.*'  
 3.1.5 '*... within the forbidden degrees of blood relationship, affinity or ...*'  
 3.1.6 '*... intentionally a fire-arm, air rifle or air revolver ...*'  
 3.1.7 '*... serious infringement of the dignity or privacy ...*'  
 3.1.8 '*... deprivation of a person's freedom of movement ...*'

(16)

3.2 Which description in COLUMN B matches the crime in COLUMN A?  
 Write the numbers 1 to 6 underneath each other in your examination script and  
 alongside it write only the letter of your choice, e.g. 7(g).

COLUMN A	COLUMN B
1. Common law perjury	(a) A crime against life
2. Murder	(b) A crime against morality
3. Pointing a fire-arm	(c) A crime pertaining to property
4. Bigamy	(d) A crime against the safety of the state
5. Fraud	(e) A crime against the administration of justice
6. Sedition	(f) A crime against bodily integrity

(12)

[28]

## QUESTION 4

Define only (**without any discussion**) the following:

- 4.1 Contempt of court (18)  
 4.2 Violation of grave (8)  
 4.3 Assault (18)  
 4.4 Public indecency (10)  
 4.5 Abduction (18)  
 4.6 Receiving of stolen property (8)

4.7	Robbery	(14)
4.8	Extortion	(10)
4.9	Uttering	(10)
4.10	Malicious injury to property	(8)
4.11	Arson	(14)
		[136]

### QUESTION 5

5.1 Choose the **correct answer** from the given possible answers and write down **only the letter** of your choice **in your examination script** opposite the corresponding question number, e.g. 5.1.9(b).

5.1.1 An accessory is only involved ...

- (a) during the committance of a crime.
- (b) before the crime has been committed.
- (c) after the crime has been committed.

5.1.2 The courts have ruled that housebreaking can be committed in respect of the following:

- (a) A locked-up backyard
- (b) A railway wagon used for goods
- (c) A built-in cupboard in a room

5.1.3 The following can be robbed:

- (a) An immovable corporeal object
- (b) A movable or immovable object
- (c) A movable corporeal object

5.1.4 Broadcasting enemy propaganda is an example of ...

- (a) sedition.
- (b) high treason.
- (c) public violence.

5.1.5 Attacks on members of the public or their property is an example of ...

- (a) sedition.
- (b) public violence.
- (c) high treason.

5.1.6 The following is an example of public indecency:

- (a) The publishing of immodest material
- (b) The infringement of other people's privacy by using bugging devices to listen to their private conversations
- (c) To grab a document in court and tear it up

5.1.7 A '*weapon*' for the purpose of the crime **Pointing of a fire-arm** is any fire-arm and also ...

- (a) ammunition.
- (b) the barrel of a gun.
- (c) the magazine of a weapon.

5.1.8 To claim ransom money in a case of kidnapping, can also constitute the following:

- (a) Extortion
- (b) Abduction
- (c) Child stealing (16)

5.2 Read the following statements and indicate whether they are **TRUE** or **FALSE** by writing **TRUE** or **FALSE** next to the corresponding question number, e.g. 5.2.6 - True.

5.2.1 That theft is a continuous crime means that it is continuous as long as the thief is in control of the stolen goods.

5.2.2 The courts have ruled that housebreaking cannot be committed in respect of a railway wagon for transporting goods.

5.2.3 If an extortionist is caught before the benefit is acquired, the perpetrator may be convicted of extortion.

5.2.4 Conspiracy to sabotage state buildings and installations is an example of sedation.

5.2.5 In a case of rape '*sexual intercourse*' implies that the woman must fall pregnant. (10)  
[26]

**GRAND TOTAL: [300]**

**END**