

Question 1

The management of the business and affairs of a company is conducted through meetings. It is therefore imperative that a company should ensure that its meetings comply with the provisions of the Companies Act 71 of 2008 to be valid. Carefully read through the two questions below and see if you are able to provide the correct legal advice by using the following steps:

1. Identify the specific legal problem that appears from the given facts while keeping in mind what is asked.
2. Identify the applicable principles and provisions of the Companies Act 71 of 2008.
3. Consider whether any case is relevant, and if so discuss the relevant principles.
4. Apply the provisions and legal principles to the given facts.
5. Conclusion: Clearly answer the specific question asked.

Now try to answer the following questions. Remember in this discussion form you may also raise any other topic related to study unit 1 you wish to discuss.

Question 1(a)

Themba lives in Knysna. He is a shareholder of Electrotech Limited. He received notice of an annual general meeting of Electrotech Limited to be held in Pretoria. He cannot attend the meeting on that day, but feels strongly about certain of the proposed resolutions set out in the notice of the meeting, and wants to express his views on these matters to the board of directors. Themba also wishes to vote against certain of the resolutions which the company proposed to pass. Advise Themba of two methods under the Companies Act 71 of 2008 that he could use to exercise his right to vote and to express his views at the annual general meeting of Electrotech Limited.

Answer

Legal problem/question

It has to be determined whether a shareholder (Themba) can participate in a shareholder meeting without being physically present.

Identify the relevant provisions in the Companies Act 71 of 2008

- a. **Section 58** deals with the appointment of a proxy.
- b. A person may be appointed to represent the shareholder (Themba) at the meeting. *It is important to note that the person who is appointed as the proxy does not have to be a shareholder of the company. See section 58(1).*
- c. The proxy may participate in, speak and vote at a shareholders meeting.
- d. The appointment must be contained in a written form dated and signed by Themba. See section 58(2)(a).
- e. The appointment of a proxy is valid for one year. See section 58(2)(b).

Conclusion: *Themba can participate in the proposed meeting by appointing a proxy.*

In your analysis of the given facts, you should have noted that you are dealing with a public (Ltd) company. This is important because this brings section 61(10) into play.

- a. Meetings of public companies registered in South Africa **must be accessible by electronic participation. See section 61(10).**
- b. This can take the form of **telephone communication** or by **video conference**. See the exact wording of **section 63(2)**.

Consumer Law Exam Problem Questions And Answers

Douglas J. Whaley, Jeffrey W. Morris



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couchi). Order: Salientia Family: Pelobatidae (spadefoots) Other common name: spadefoot toad. Spanish names: sapo con espuelas ... Spadefoot toad | burrowing, nocturnal, desert 3 days ago — All spadefoot toads are classified in the family Pelobatidae. Spadefoot toads have a broad, horny “spade” projecting from the inside of each Pelobatidae - European Spadefoot Toad Family - Apr 21, 2017 — The family Pelobatidae is the European Spadefoot toads but they aren't just found in Europe, they are also found in Asia and Northern Africa. Chattanooga Tn Hamilton County Schools 2014 2015 Calendar Chattanooga Tn Hamilton County Schools 2014 2015 Calendar. 1. Chattanooga Tn Hamilton County Schools 2014 2015 Calendar. Chattanooga Tn Hamilton County Schools ... Calendar 2024-2025. 2024-25 School Calendar (Block Format) Approved 6/15/2023 2024-25 Spanish School Calendar (Block Format). 2024-25 School Calendar (Traditional ... HAMILTON COUNTY SCHOOL CALENDAR 2003-04 TERM HAMILTON COUNTY SCHOOL CALENDAR: 2014-15. (Approved by School Board: 11/21/13). OPENING DATE - AUGUST 1, 2014. SCHOOL DAYS - 180. CLOSING DATE - MAY 22, ... Hamilton County Schools: Home Chattanooga, TN 37421. Phone Icon. 423-498-7020. FAMILIES. Before and After Care · Calendar & Events · Family Portal · Code of Acceptable Behavior · Bus ... hamilton county school calendar: 2023-2024 Half Day for Students/Half Day Teacher Planning- BUSES WILL RUN. October 6, Friday. End of 1st Quarter (42 days). October 9-13, M-F. Fall Break (5 Unpaid Days). Reading free Chattanooga tn hamilton county schools ... Jan 30, 2023 — Reading free Chattanooga tn hamilton county schools 2014 2015 calendar (PDF) | www.eventplanner.stormspakhus.dk www.eventplanner ... hamilton county school district calendar 2023-2024 Jul 24, 2023 — April 1-5 - Spring Break. 1 2 3 4 5. 9 10. 7. 11. 9. 12 13. 8 9 10 11 12. 16 ... HAMILTON COUNTY SCHOOL DISTRICT CALENDAR. 2023-2024. Page 2. * ... Hamilton County Schools Approved 2021-2022 Calendar Hamilton County Schools Approved 2021-2022 Calendar - Free download as PDF File (.pdf), Text File (.txt) or read online for free. Hamilton County Schools ... Calendar Christmas Break - Dec. 16-Jan. 3 ; MLK Day - Jan. 15 ; Winter Break - Feb. 16-20 ; Spring Break - March 23-April 1 ; High School Graduation - May 18. Hamilton County School Board approves school calendar ... Feb 17, 2021 — The Hamilton County School Board is expected to review the proposed school calendar for the Fall 2021 and Spring 2022 school year at Thursday ... Briggs and Stratton 030359-0 - Portable Generator Briggs and Stratton 030359-0 7,000 Watt Portable Generator Parts. We Sell Only Genuine Briggs and Stratton Parts ... PowerBoss 7000 Watt Portable Generator Parts ... Repair parts and diagrams for 030359-0 - PowerBoss 7000 Watt Portable Generator. 7000 Watt Elite Series™ Portable Generator with ... Model Number. 030740. Engine Brand. B&S OHV. Running Watts*. 7000. Starting Watts*. 10000. Volts. 120/240. Engine Displacement (cc). 420. Fuel Tank Capacity (... I am working on a Powerboss 7000 watt model 030359 ... Nov 24, 2015 — I am working on a Powerboss 7000 watt model 030359 generator with no output. I have put 12 v DC to the exciter windings and still no output. SUA7000L - 7000 Watt Portable Generator Model Number, SUA7000L ; Starting/Running Watts, 7000/6000W ; Certifications, EPA ; AC Voltage, 120/240V ; Rated Speed/Frequency, 3600rpm/60Hz. 030359-0 - 7000 Watt PowerBoss Wiring Schematic Briggs and Stratton Power

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