



SYLLABUS

ADMINISTRATIVE PRACTICE

PURPOSE

To enable the student to understand the administrative practice and meetings of clubs, companies, close corporations and trusts.

OBJECTIVE

The objective of Administrative Practice and its syllabus is to:

- Inform the student thoroughly of current legal provisions regarding the passing of valid resolutions and the correct administrative procedure concerning such resolutions to administer the institution.
- Provide guidance to the chairperson, managers, directors and members.
- Draft notices and reports.
- Draft minutes extracts from minutes and written resolutions.
- Criticise and draft a club's constitution.
- Draft the association agreement of a close corporation.

RECOMMENDED TEXTBOOKS:

- A. South African Corporation Business Administration, by Van der Merwe: Juta/CIS (For clubs, companies and close corporations) (Latest Ed)
- B. Entrepreneurial Law, by Cilliers (Latest edition) : Butterworths (For trusts, companies and close corporations)
- C. Corporate Law, by Cilliers, Benade et al (Latest edition): Butterworths .

Students are advised to become acquainted with the format of annual reports of companies.

SYLLABUS

Authority to act on behalf of an institution (15%)

Objective: Corporate personalities make use of individuals to think and act for them. Authority to act originates from a valid resolution.

Division of powers

Constitution of a club

Articles of Association of a company

Requirements for a valid meeting

Motions and informal motions

Drafting of notices

Voting and voting rights

Meetings of the controlling body

General meetings (15%)

Ordinary resolutions

Special resolutions

Annual general meeting

Removal of director
Removal of auditor
Adjournment

Administrative practice for clubs and companies
(15%)
Chairperson's agenda
Authority to call a meeting
Secretary's duties prior and subsequent to a
meeting
Representation at meetings
Interest in contracts
Draft and criticise the constitution of clubs with
reference to the memorandum

Minutes and reports (20%)
Drafting of minutes
Written resolutions
Extract from minutes
Reports

Other meetings (9%)
Public meetings
Disorder and ejection
Expulsion from an organisation

Defamation (8%)
Definition
Used at a meeting
Defences

Conduct of a close corporation (10%)
Members
Authority to act
Meetings of a close corporation
Association agreement

Conduct of a trust (8%)
Trustees, duties and powers
Trust deed
Beneficiary
Business trust

EXAMINATION

A three-hour paper will be set on theory and practical application. There will be six questions involving both short and easy-type answers. All questions are to be answered.

---oooOOOooo---