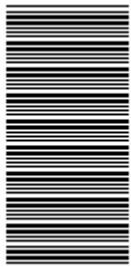


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higher education  
& training

Department:  
Higher Education and Training  
REPUBLIC OF SOUTH AFRICA

## MARKING GUIDELINE

NATIONAL CERTIFICATE

JUNE EXAMINATION

TRAVEL OFFICE PROCEDURES N5

20 JUNE 2016

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**NOTE:** ✓ = 1 Mark  
✓ = ½ Mark

## SECTION A

### QUESTION 1

The ability to incur rights and duties which flow from an agreement, ✓ incur liability from wrongful acts, ✓ perform legal acts, to sue or to be sued ✓ or be a party to legal events. [3]

### QUESTION 2

- The Post Office Act allows a person over 7 to deposit and withdraw money from a savings account.
- A minor over 16 can make a will in terms of the Wills Act.
- A minor over 16 can donate his/her body tissue for research purposes.
- A minor over 18 can authorise an operation or medical treatment.
- A minor over 18 can take out an insurance policy in terms of the Insurance Act. [5]

### QUESTION 3

- 3.1 True
- 3.2 True
- 3.3 False
- 3.4 False
- 3.5 True
- 3.6 False
- 3.7 False
- 3.8 True
- 3.9 True
- 3.10 False

(10 × 1) [10]

### QUESTION 4

- Common mistake
- Mutual mistake
- Single/Unilateral mistake [3]

**QUESTION 5**

- The commodity/goods/thing
- Delivery of the goods
- Price of the merx

**[3]****QUESTION 6**

No

The Law specifies that the form of payment in South Africa must be South African rand and cents.

**[2]****QUESTION 7**

7.1 No

Some things may never be traded and it is illegal to sell public property.

**(2)**

7.2

- The right to an inheritance from a person that is still alive.
- Goods which have restrictions placed on them.
- Natural things like sun, sea, rivers and air.

**(3)****[5]****QUESTION 8**

It is when the goods bought are already in the possession of the purchaser.

**[2]**

**QUESTION 9**

- 9.1 No  
They waste all their assets and needs a curator to manage their affairs.
- 9.2 No  
They need assistance from a parent or guardian because they don't have contractual capacity.
- 9.3 No  
They do not know what is going on and therefore they can't make sound decisions.
- 9.4 Yes  
When you get married you automatically get contractual capacity.
- 9.5 Yes  
As soon as you reach 21 you have full contractual capacity.
- (5 × 2) [10]

**QUESTION 10**

- Lawful
  - Contractual capacity
  - Intention to contract
  - Communication of the intent to contract
  - Meeting of the minds
- [5]

**QUESTION 11**

- Mistake concerning the nature of the agreement.
  - Mistake concerning the subject matter.
  - Mistake concerning the identity of the parties.
  - Mistake concerning the quality of the subject matter.
- (Any 2 × 1) (2)

**TOTAL SECTION A: 50**