

KASNEB

CS PART II SECTION 4

LAW AND PROCEDURE OF MEETINGS

FRIDAY: 27 May 2016.

Time Allowed: 3 hours.

Answer ALL questions. Marks allocated to each question are shown at the end of the question.

QUESTION ONE

- (a) The Public Order Act which is an Act that makes provision for maintenance of public order in public meetings defines a meeting as any gathering of persons (not being an excluded meeting) convened and held for any purpose, including any political purpose.

With reference to the above statement, explain the meaning of the term "excluded meeting". (6 marks)

- (b) You are the certified secretary of a political organisation in your country. The head of the organisation, Alpha Mwenda has instructed you to prepare a notice to the regulating officer of the organisation's intention to convene a public meeting.

Required:

- (i) State the notice period for the above meeting. (1 mark)

- (ii) Summarise the matters you should include in the notice for the above meeting. (3 marks)

- (c) As a certified secretary, you have been invited to give a presentation at a seminar of the Institute of Certified Public Secretaries in your country. The seminar's topics will be: Effective management of meetings, writing of minutes, reports and board papers.

With reference to the above statement, prepare a write up on the essentials of good minute writing. (10 marks)
(Total: 20 marks)

QUESTION TWO

- (a) A chairperson's duties begin as soon as he or she has thanked the meeting and assumed the position.

Describe ten duties of the chairperson of a meeting. (10 marks)

- (b) Explain the rule in Sharpe V. Dawes. (4 marks)

- (c) Identify three essentials of a valid meeting. (6 marks)

(Total: 20 marks)

QUESTION THREE

- (a) The Financial Reporting Council's Guidance on Board Effectiveness suggests that, well informed and high quality decision making is a critical requirement for a board to be effective and that boards can minimise the risk of poor decisions by investing time in the design of their decision making policies and processes.

With reference to the above statement:

- (i) Propose five measures that boards could implement to ensure good decision making. (5 marks)

- (ii) Suggest five factors that could limit effective decision making of boards. (5 marks)

- (b) (i) Define the term "committee". (2 marks)

- (ii) Describe four types of committees. (8 marks)

(Total: 20 marks)

QUESTION FOUR

- (a) Highlight four circumstances when the directors present at a company’s general meeting shall elect one of themselves to preside at the meeting. (4 marks)

 - (b) The directors of SNEBKA Company Limited have instructed you as the company secretary to prepare a notice of a general meeting that will be held in the next fifteen days. The meeting will be held at two places and the directors intend to move a special resolution.

Draft a notice convening the above general meeting. (8 marks)

 - (c) In relation to the law of defamation, explain four statements that have absolute privilege. (8 marks)
- (Total: 20 marks)**

QUESTION FIVE

- (a) Outline the sequence which the business of the National Assembly should follow. (8 marks)

 - (b) Highlight four circumstances under which the speaker of a county assembly might direct that a motion is inadmissible. (4 marks)

 - (c) Discuss the provisions governing use of proxies in a compulsory winding-up. (8 marks)
- (Total: 20 marks)**
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