



CS PART II SECTION 4

LAW AND PROCEDURE OF MEETINGS

FRIDAY: 21 May 2021.

Time Allowed: 3 hours.

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

QUESTION ONE

- (a) With reference to meetings in a winding up of a company by the court, explain four duties of the official receiver immediately after the winding up order is made. (4 marks)
- (b) In reference to law of defamation, examine four requisites of defense for fair comment. (4 marks)
- (c) Summarise the business that might be transacted by a company's Board meeting just before holding of an Annual General Meeting. (7 marks)
- (d) Explain the procedure for moving and disposal of a motion in a meeting of the National Assembly. (5 marks)
- (Total: 20 marks)**

QUESTION TWO

- (a) With reference to public meetings, distinguish between a "riot" and a "rout". (4 marks)
- (b) Discuss the legality of holding a public meeting on the highway. (6 marks)
- (c) (i) Describe three types of minutes. (6 marks)
- (ii) Highlight four precautions which should be taken to minimise falsification of minutes maintained in loose-leaf minute book. (4 marks)
- (Total: 20 marks)**

QUESTION THREE

- (a) Discuss four circumstances under which the chairman of a meeting is empowered to adjourn a meeting. (4 marks)
- (b) Examine five merits and four demerits of Board committee meetings. (9 marks)
- (c) Summarise seven motions which may be moved without notice at the National and County Assemblies. (7 marks)
- (Total: 20 marks)**

QUESTION FOUR

- (a) Voting by ballot is normally adopted in company meetings under special circumstances. Analyse three such circumstances. (3 marks)
- (b) With respect to parliamentary business:
- (i) Distinguish between a "private bill" and a "public bill". (2 marks)
- (ii) Explain the amount of time limitation to various speakers during the debate on each of the case in (b) (i) above. (8 marks)
- (c) Outline seven powers of a company's Board of Directors. (7 marks)
- (Total: 20 marks)**

QUESTION FIVE

- (a) With reference to common law, explain the term "unlawful assembly". (2 marks)
- (b) With reference to quorum, discuss two grounds on which decisions taken in a meeting may be invalidated. (4 marks)

- (c) Analyse three possible causes of disorder in a meeting. (6 marks)
- (d) Explain the following circumstances in which the directors might be required to call an extraordinary general meeting for a specific purpose:
- (i) Requisition by members. (3 marks)
  - (ii) On resignation of the auditor. (3 marks)
  - (iii) By order of the court. (2 marks)
- (Total: 20 marks)**
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