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CPA INTERMEDIATE LEVEL

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COMPANY LAW

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ANSWERS.

THURSDAY: 27 April 2023. Morning Paper. Time Allowed: 3 hours.

Answer any FIVE questions. ALL questions carry equal marks. Do NOT write anything on this paper.

QUESTION ONE

(a) A group of four graduates have decided to form a small business firm to deal in import and export trade. You have been appointed as a member of the technical committee to help in registering the firm as a limited liability company. Explain to the committee the matters below:

(i) The **FIVE** legal characteristics of the entity that will be registered. (5 marks) *(Consequences of Incorporation)*

(ii) **FIVE** particulars to be included in the company's Memorandum of Association. (5 marks)
Name , Registered office address, Object/Purpose , Liability

(b) With respect to the nature and classification of companies, distinguish between a registered company (A separate legal entity formed by individuals with a common object under the provisions of the Company's act) and a :

(i) Statutory corporation. (1 mark) *(Public entity that is established from an act of parliament or from a legislative act)*

- *(Type of organization established by a government through specific legislation or statute to perform particular functions or provide essential public services)*

(ii) Partnership. (4 marks) *(A form of a business structure that is formed by two or more individuals or entities to operate a business for profit)*

ANSWER

- *Difference between a registered company and partnership*

1. *Legal Status: A registered company is a separate legal entity from its owners while a partnership does not have a separate legal existence. Partnerships are considered extensions of their owners.*

2. *Liability: In a registered corporation the liability of its members is limited to their*

2014 Icsa Past Papers On Corporate Law

**Hanne S. Birkmose, Mette
Neville, Karsten Engsig Sørensen**

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