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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*

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Practical Company Law and Corporate Transactions Mark Stamp, 2011 Previous ed Old Woking City Financial 2004

Mayson, French & Ryan on Company Law Derek French, Stephen Mayson, Christopher Ryan, 2013-08-22 This comprehensive textbook on company law investigates theoretical issues without sacrificing technical detail and is ideal for academic and professional students Australian Journal of Corporate Law, 2001 **The Professional Standards of Executive Remuneration Consultants** Calvin Jackson, 2023-05-01 Love them or hate them executive remuneration consultants are key players in remuneration committees pay determination processes This book concerns the professional standards of executive remuneration consultants and their in house counterparts for example Human Resources Director and Head of Reward in providing remuneration committee advisory services The author is a 25 year veteran executive remuneration consultant having worked around the world in this capacity particularly in the financial services sector This book is based on a qualitative empirical doctoral research exercise involving 53 participants in the UK executive pay scene including regulators institutional shareholder bodies proxy advisors remuneration committees chairs members executive remuneration consultants and in house executive reward specialists The objective was to formulate conclusions that could be used to the benefit of UK practice and contribute to the relevant academic scholarship on executive remuneration consultants The research covered 18 aspects ranging from an examination of the independence of such consultants to whether there might be a specialised accreditation qualification and or licence to practise regime covering their services It provides novel insights into this previously under researched area of corporate governance financial regulation This book will be of interest to those involved in the UK executive remuneration scene whether government regulators or any of the other parties mentioned already plus academics in universities and business schools It is hoped too that overseas remuneration regimes that have respects in common with the UK s will find this book useful **Reforming Corporate Governance in Southeast Asia** Ho Khai Leong, 2005 This multi disciplinary volume provides a critical examination of corporate governance reform in Southeast Asia especially after the Asian financial crisis in 1997 The weaknesses in the corporate sector such as poor investment structure weak legal and accounting systems faulty financial practices questionable political interventions are some of the pertinent issues raised by the authors who include legal specialists corporate practitioners economists and political scientists Policy measures to improve corporate transparency institutional accountability and fiscal prudence are also proposed The volume provides interested readers and policy makers in Southeast Asia with the most current research and policy options on corporate governance reform and advocates more committed and effective governance changes in the future **Shackleton on the Law and Practice of Meetings** Frank Shackleton, Madeleine Cordes, Geraldine Caulfield, 2011 This volume provides definitive guidance on the formulation and conduct of company local authority and public meetings It covers all sizes of meetings from AGMs and public meetings to specialised committees *Compendium of*

Supply Chain Management Terms: Executive Insights Series Douglas Boateng, 2024-10-07 Professor Boateng has done industry government and academia a huge favor by producing a truly comprehensive reference guide book filled with most of the terms associated with most aspects of supply chain management Both local and global C Suite executives policy makers academics and the like will immensely benefit from this handy compilation Dr Mohan Kaul Executive Chairman Commonwealth Investment Corporation London A must have for supply chain management academics and practitioners This revised edition offers the most comprehensive vocabularies associated with supply chain management to date I M Ambe Professor of Supply Chain Management and Head of SCM Group UNISA The need to improve supply chain management understanding is increasingly becoming strategically important to business and society Today it is still relatively opinion rich and nomenclature poor Without doubt the 2nd edition of Professor Boateng s compendium has come at the right time to help correct the anomaly Dr Patricia Makhesha Managing Director Platreef Project Ivanplats Professor Douglas BOATENG MSc EngD FCILT FOE FIPlantE FCMi FIC Finst D FIOM FCIPS FloD CDir Africa s first ever appointed Professor Extraordinaire for supply and value chain management SBL UNISAJ is an International Professional certified Chartered Director and an adjunct academic Independently recognised as one of the vertical specific global strategic thinkers on procurement governance logistics and industrial engineering in the context of supply and value chain management he continues to play leading academic and industrial roles in supply chain strategy development and implementation both in Africa and around the world He holds amongst other qualifications an Institute of Directors Graduate Certificate and Diploma in Company Direction and a Doctor of Engineering Warwick He is also an elected FELLOW of Institute of Directors UK Society of Operations Engineers UK Institution of Plant Engineers UK Chartered Institute of Logistics and Transport UK Chartered Management Institute UK Chartered Institute of Procurement and Supply UK Institute of Business Consulting UK and the Institute of Operations Management UK Recognised for his outstanding contribution to the advancement of local and international aspects of supply chain management he was bestowed with a Platinum Life Time Global Achievers Award 2016 and a Life Time Achievers Award 2013 by the Chartered Institute of Procurement and Supply and its various local industry associations In 2016 Professor Boateng was honoured by CEO Titans Building Nations with a Life time Achievers Award for exceptional work done in the area of industrial engineering procurement and supply chain management in a developing world context He has also been publicly acknowledged by leading institutions including the Commonwealth Business Council for his ongoing contribution to the rapidly emerging concept of strategic sourcing and its inextricable link to Africa s long term industrialisation and socio economic development He has been an elected member of the UK s Institute of Directors for over 20 years and continues to assist organisations and CEOs with board level directional and governance matters In addition Professor Boateng has been publicly acknowledged by leading institutions including the Commonwealth Business Council for his ongoing contribution to international procurement supply chain development and governance and its link to

emerging world long term socio economic development **Report of Cases Argued and Determined in the Supreme Court and in the Court of Appeals of the State of Idaho** Idaho. Supreme Court,2007 **ACCA Approved - P1 Governance, Risk and Ethics (September 2017 to June 2018 exams)** Becker Professional Education,2017-04-15 ACCA Approved and valid for exams from 01 Sept 2017 up to 30 June 2018 Becker s P1 Governance Risk and Ethics Study Text has been approved and quality assured by the ACCA s examining team **The Director's Handbook** Institute of Directors,2007 The Director s Handbook first published in 2005 filled a gap in the market by providing a practical guide to key issues facing board directors and senior business decision makers Now with far reaching changes in directors duties and other principles of company law this new edition updates and explains the laws which affect the way every director does their job It deals with all aspects of a company director s role duties responsibilities and liabilities within the context of the current law and good practice Written by leading experts and fully supported by research findings it also contains case studies named or unnamed from companies of varying size and sector The Director s Handbook is the essential reference and source of advice for all new and existing directors as well as those who aspire to this position

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