



Assignment	
Student Name & Nr:	100%

Brief:

This assignment is based on the work you covered in Module 21: Hospitality Law II.

When starting your own business, choosing the right format is key to its success. The most common and favourable business structure in the hospitality industry is the private company.

This assignment requires you to research different fields of law in South Africa and report on the following:

- (a) Investigate the characteristics, benefits and disadvantages of a private company as business structure and write a detailed discussion thereof.
- (b) Compile a step by step guide, detailing the exact process for registering a private company.
- (c) Give an in depth discussion on the legal liability of shareholders and directors of private companies. You are required to refer to relevant case law where applicable.
- (d) The purpose of exclusionary terms is to limit or exclude one party's responsibility under a contract. Analyse the legal position where parties are exempt from liability i.e exemption/disclaimer clauses according to South African law.
- (e) Examine of the impact that the Consumer Protection Act 68 of 2008 may have on the enforcement of exemption clauses.

Marks will be awarded for your ability to gather and analyse data and to formulate the information into an academic report.

Structure:

Assignments must be formatted according to the IHT Assignment template using the following structure.

Marks will be awarded for the structuring, formatting and technical care of your assignment.



Front Matter

- 1.1 Cover page with Declaration
- 1.2 Executive Summary
- 1.3 Table of Contents

Body Matter

- 2.1 Introduction
- 2.2 Investigation of a private company
- 2.3 Step by step guide for registering a private company
- 2.4 Legal liability of shareholders and directors of private companies
- 2.5 Analysis of exemption clauses in South Africa
- 2.6 Examination of the impact that the Consumer Protection Act 68 may have on the enforcement of exemption clauses.
- 2.7 Conclusion

End Matter

- 3.1 Reference list
- 3.2 Appendices

Submission date	9 March 2021
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Marking Criteria:

The following criteria will be used to mark your assignment, acting as a good guideline for setting up your assignment.

Content

Investigation of private company	(10)
Step by step guide for registering a private company	(15)
Legal liability of shareholders and directors of private companies	(15)
Analysis of exemption clauses in South Africa	(20)
Examination of the impact that the Consumer Protection Act 68 may have on the enforcement of exemption clauses.	(20)
Total	[80]

Structure, Formatting and technical care

1.1	Cover page with Declaration	(5)
1.2	Executive Summary	(15)
1.3	Table of Contents	(10)
2.1	Introduction	(10)
2.2–2.6	Content (Findings and Results)	
2.7	Conclusion	(10)
3.1	Reference list	(10)
3.2	Appendices	(5)
4.	Writing Skills and Technical care	(15)
	Total	[80]

Summary of marks:

Content Mark	80	
Content Weight	70%	
Technical Care Mark	80	
Technical Care Weight	30%	
ASSIGNMENT TOTAL %	100%	