



FACULTY OF MANAGEMENT

FINAL EXAMINATION

DEPARTMENT

Hospitality Management

<u>MODULE</u>	HOSPITALITY INDUSTRY LAW II
<u>CODE</u>	HIL21-1
<u>DATE</u>	4 JUNE 2014
<u>DURATION</u>	2 HOURS
<u>TIME</u>	14:00-16:00
<u>TOTAL MARKS</u>	100

<u>EXAMINER</u>	MS C MABASO
<u>MODERATOR</u>	MS LD NDIMANDE
<u>NUMBER OF PAGES</u>	3 PAGES

INSTRUCTIONS TO CANDIDATES:

- This is a closed book assessment.
 - Read the questions carefully and answer only what is asked.
 - Number your answers clearly.
 - Write neatly and legibly.
 - Structure your answers by using appropriate headings and sub-headings.
 - The general University of Johannesburg policies, procedures and rules pertaining to written assessments apply to this assessment.
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Basic Conditions of Employment Act 75 of 1997

To protect the rights of employees in a work place and to ensure that the obligation between the employer and the employee is fair, the Basic Conditions of Employment Act was introduced. For the first time, employees have been brought under the minimum standards of law and regulation of the prescribed basic conditions of employment.

Discuss the conditions of employment according to the Basic Conditions of Employment Act, focusing on working time and leave. **[15]**

QUESTION 2

Employment Equity Act 55 of 1998

2.1 According to the Employment Equity Act, Affirmative Action must be implemented in every work environment. Critically analyse the statement focusing on affirmative action measures. (10)

2.2 Discuss the term **equality** according to the Constitution of the Republic of South Africa. (8)

[18]

QUESTION 3

Black Economic Empowerment Act 53 of 2004

Briefly discuss the role of Department of Trade and Industry in setting up administrative and implementing the black economic legislation and Further explain the three core elements that the DTI intend to measure.

[12]

QUESTION 4

Unemployment Insurance Act 63 of 2001

The amendment to the Unemployment Insurance Act provides for the payment of contributions by employers and employees to (South African Revenue Service) in order to benefit unemployed employees.

Discuss the main purpose of the Unemployment Insurance Fund (UIF) and the different classes of benefits as per the Act. **[12]**

Skills Development Act 9 of 1999

- 5.1 Write a job specification and job description for a Skills Development Facilitator (6)
- 5.2 Discuss five (5) conditions that must be satisfied by the Workplace Skill Planning grant. (10)
- 5.3 Explain the rationale and process of the levy grant system to a new Hospitality operator . (10)
- [26]**
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QUESTION 6

The National Credit Act 34 of 2005

Discuss the need for National Credit Act in South Africa in your answer also include the responsibility of a National Credit Regulator as per Act **[10]**

QUESTION 7

Consumer Protection Act and Regulation

- 7.1 Discuss the right of a consumer to cancel a reservation and the right of the supplier in terms of the manner in which he/she would handle such a cancellation In the **light of the various provision** of the Consumers Protection Act. (4)
- 7.2 Identify six (6) sections of Consumer Protection Act that you believe will have the most significant impact on hospitality establishments and explain why . (12)
- [16]**
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QUESTION 8

Lease Agreement and Insurance Contract

- 8.1 Lease Agreement is a contract between a lessor and lessee and it gives power to both parties that are involved. Discuss the right and the duties of lessor and lessee. (10)
- 8.2 The law recognise the two types insurance contract namely indemnity and non indemnity insurance contract . Briefly identify the different between the two insurance contract. (6)
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PAPER TOTAL = 100 MARKS