

## LAW OF BUSINESS ENTITIES FINAL PUSH

- **Question one** is scenario-based and requires you to engage with the business entities that we have covered in class and know the type of entity applicable to the scenario. This question is broken into three sub-questions each carrying 5 marks.
- **Question two** is out of 15 and requires you to study partnerships.
- **Question three** is scenario-based and is out of 15 marks and requires you to study partnerships.
- **Question four** requires you to study close corporations and know the case of *Airport Cold Storage v Ebrahim* and *Salomon v Salomon*.

### QUESTION 4

## Close Corporations (CCs)

### 1. Introduction to Close Corporations (CCs)

Close Corporations (CCs) are governed by the Close Corporations Act 69 of 1984, providing a flexible business structure primarily suitable for Small, Medium, and Micro Enterprises (SMMEs). Key characteristics include:

- **Separate Legal Personality:** CCs are distinct legal entities, separate from their members, allowing for limited liability protection.
- **Limited Liability for Members:** Members are shielded from personal liability for the debts and obligations of the CC, mitigating financial risk.
- **Perpetual Succession:** CCs enjoy perpetual existence, unaffected by changes in membership, ensuring continuity in business operations.
- **Capacity and Powers:** CCs possess the legal capacity and powers akin to natural persons, enabling them to enter contracts, acquire assets, and engage in legal proceedings.

### 2. Membership and Formation

Membership in CCs is governed by specific regulations:

- CCs typically have between one and ten members, facilitating simplified management structures.

# Comprehensive Business Exam Study Guide

**Richard A. Mann, Barry S. Roberts**



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