



# **CENTRAL UNIVERSITY**

**MANAGEMENT & PA DEPARTMENT**

**COMPANY & PARTNERSHIP LAW**

**(CBFW 202)**

**MARCH RESIT EXAMS**

**ANSWER ALL QUESTIONS**

Lecturer:

Lawyer Emmanuel Kwasi Opare-Wiredu, Esq.

**CENTRAL UNIVERSITY**  
**MANAGEMENT & PA DEPARTMENT**  
**COMPANY & PARTNERSHIP LAW (CBFW 202)**  
**MARCH RESIT EXAMS**

**ANSWER ALL QUESTIONS**

**Section A (answer all questions in the section)**

1. Name the two steps that must be taken to liquidate a company
2. What is insolvency?
3. The punishment for a disqualified person acting as a director is?
4. Bright is a director of Asoga Force Security Systems. He recently resigned from the company creating a vacancy on the board. The vacancy caused by resignation is known as?
5. What do directors require to enable them carry out what they are limited from doing
  - a. Agreement of shareholders
  - b. Agreement of directors
  - c. Ordinary resolution
  - d. Special resolution
6. Prince & Sons Company Ltd was incorporated in 2017. The Board has informed the members that it shall not hold any AGM in 2017. Is this decision not to hold a meeting in the first of incorporation against company law?
  - a. Yes
  - b. No
7. After Prince & Sons Company Ltd holds their first AGM, what is the period of time allowed by law within which the company must hold the next AGM?
8. Ann is a member of Love Deco Co. Ltd. She has requisitioned a meeting as a member of the company. What will happen if there is no quorum for the meeting within 30 minutes of the commencement time of a meeting?
9. Notice of AGM is given to only shareholders

- a) True
- b) False

10. Dickson is an alternate director of Wa Bull Dogs Mining Co. Ltd. He has been an alternate director for the company from January 2017. He has been challenged by a member that he can only act for a minimum of 6 months. Is the member right
  - a) Yes
  - b) No
11. Brapa Charity is a Company limited by guarantee. How can this company raise its working Capital?
12. Lukeman Co Ltd has expressed grave concern for the financial viability of Ash Sugar Factory Co. Ltd. It gave a long term loan to promote the operations of Lukeman Co Ltd. In return for this ShaBonn Co Ltd is paid periodic interest on their loan. What is Lukeman to Ash Factory Co. Ltd?
13. Share transferability is restricted in public companies
  - a. True
  - b. False
14. Private companies do not restrict membership to 50 people
  - a. True
  - b. False
15. Alomo Industries was recently incorporated as a company. Which of the following will compose the Constitution of the Company
  - a. Company Incorporation Constitution (CIC)
  - b. Regulations (Articles and Memorandum of Association)
  - c. Memorandum and Articles of incorporation
16. Doors Motors has been incorporated by the Registrar of Companies. Name the various certificates that are issued to it.
17. Cecelia bought shares in Benso Oil Company Ltd. The Company recently paid dividends to its shareholder. Cecelia was among the class of shareholder who received their dividend first although below a certain amount. What type of shareholder is she?

**SECTION B CASE DRILL**

**Answer all questions**

**State the cases for the following principles**

26. *The veil of incorporation will be lifted to prevent the deliberate evasion of a contract*
27. *The veil of incorporation may be lifted to determine the nationality of those controlling the company in times of war.*
28. *A promoter owes owed fiduciary duties towards the company including the duty disclose all material facts.*
29. *State on case that shows that the English have drifted towards the Ghanaian position on pre-incorporation contracts*
30. *Once incorporated, a Company has all the powers of a natural person and can do everything except procreate.*