



<b>FACULTY/COLLEGE</b>	College of Business and Economics
<b>SCHOOL</b>	School of Tourism and Hospitality
<b>DEPARTMENT</b>	Hospitality Management
<b>CAMPUS(ES)</b>	APB
<b>MODULE NAME</b>	Food and Beverage Law I / Hospitality Industry Law I
<b>MODULE CODE</b>	FBRL1Y1/ HILIY1
<b>SEMESTER</b>	Second
<b>ASSESSMENT OPPORTUNITY, MONTH AND YEAR</b>	Summative Assessment Opportunity November 2019

<b>ASSESSMENT DATE</b>	20 November 2019	<b>SESSION</b>	08.30-10.30
<b>ASSESSOR(S)</b>	Ms C Mabaso		
<b>MODERATOR(S)</b>	V Harilal		
<b>DURATION</b>	120 mins	<b>TOTAL MARKS</b>	100

<b>NUMBER OF PAGES OF QUESTION PAPER (Including cover page)</b>	3
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#### INFORMATION/INSTRUCTIONS:

- This is a closed-book assessment.
- **Answer each section in a different answer book**
- **Answer all the questions**
- Read the questions carefully and answer only what is required.
- Number your answers clearly and correctly as per the question paper.
- Write neatly and legibly on both sides of the paper in the answer book, starting on the first page.
- Non-programmable calculators are permitted – only one per candidate
- Question papers must be handed in.
- The general University of Johannesburg policies, procedures and rules pertaining to written assessments apply to this assessment.

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### **QUESTION 1**

#### **The Tobacco Act**

- 1.1 According to regulation 2, smoking of tobacco is permitted in public places but there are subjects to the provisions. List two of the public places under these provisions. (2)
  - 1.2 Identify the four (4) advantages of a smoke free policy. (4)
  - 1.3 Discuss the specific provisions of anti-smoking legislation that a restaurant/pub must comply with. Your answer must also include the penalties for non-compliance. (12)
  - 1.4 Discuss the provisions that are subject to smoking in a work place. (6)
- [22]**
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### **QUESTION 2**

#### **The Liquor Act**

To regulate the sale of liquor in SA, the liquor act was established. It states, that to sell liquor you need to have a liquor licence. Furthermore, a Board was established to supervise the whole process. Any application of a liquor licence may be granted or refused depending on the merits of the case. However, the Act set out certain prohibitions.

- 2.1 Differentiate between hotel liquor licence and restaurant liquor licence. (4)
  - 2.2 Name the five (5) considerations that are taken into account, in respect of a liquor licence application. (5)
  - 2.3 Discuss the formulation of a Liquor Board and identify three (3) functions of the Board. (7)
- [16]**
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### **QUESTION 3**

#### **Labour Relations Act 66 of 1995**

- 3.1 Draw up the portion of a general employee induction program for new staff that will specifically explain your company's standard disciplinary procedure and disciplinary code. Your induction programme should explain, in the form of an outline and overview, the following sections:
  - a. Purpose of the disciplinary procedure. (3)
  - b. Employees rights (3)
  - c. Alleged guilty of Misconduct (list examples of what will constitute misconduct as well as the procedure to be followed) (10)
  - d. Types of corrective action that will be used: (5)

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- 3.2 Discuss the procedure that is followed by Commission for Conciliation, Arbitration and Mediation in dispute resolution. (10)
- 3.4 Critically analyse the different type of unfair labour practice as per Labour Relations Act. (8)
- [39]**

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**QUESTION 4**

**Occupational Health and Safety Act 85 of 1993**

Every employer must put the health and safety of employees first in order to eliminate any accidents in the work place. It is each and every employee's duty to ensure that they work in accordance with safe practice.

The employer should ensure that there is proper supervision of all operational procedures. The health & safety representative assists management in this matter.

- 4.1 Discuss the duties of the employer focusing on duty to inform and the reporting duties . (12)
- 4.2 Identify the five (5) powers of the inspectors as per Act. (5)
- 4.3 List six (6) rights of employees that is awarded by the Act . (6)
- [23]**

**PAPER TOTAL = 100 MARKS**

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