



**NAMIBIA UNIVERSITY
OF SCIENCE AND TECHNOLOGY**

**FACULTY OF COMMERCE, HUMAN SCIENCES AND EDUCATION
DEPARTMENT OF SOCIAL SCIENCES**

QUALIFICATION: BACHELOR OF SPORTS MANAGEMENT	
QUALIFICATION CODE: 07BOSM	LEVEL: 6
COURSE CODE: SLR611SS	COURSE NAME: SPORTS LAW AND REGULATIONS
SESSION: JULY 2025	PAPER: THEORY AND CASE STUDIES
DURATION: 3 HOURS	MARKS: 100

SECOND OPPORTUNITY EXAMINATION	
EXAMINER	Mariette Hanekom
MODERATOR	Kirby Claasen

INSTRUCTIONS
<ol style="list-style-type: none">1. The paper has 6 main questions.2. ALL the questions are compulsory.3. Read carefully before answering.4. Write clearly and neatly.5. Number the answers clearly and according the structure in the examination question paper.6. Use full sentences and proper paragraphs when answering questions. The inappropriate use of bullet-points will be penalised, as will poor spelling and grammar and illegible handwriting.

PERMISSIBLE MATERIAL

None

THIS EXAMINATION PAPER CONSISTS OF 4 PAGES (Including this front page)

QUESTION 1

Explain the following terms:

- 1.1 Exclusive bargaining agent (4)
 - 1.2 Overtime (2)
 - 1.3 Option (3)
 - 1.4 Voidable contract (5)
 - 1.5 Agent (2)
 - 1.6 Delict (4)
- [20]**

QUESTION 2

Briefly answer the following questions:

- 2.1 Name the two requirements for a fair dismissal. (2)
 - 2.2 Why is it important to distinguish between a contract of employment and a work acceptance contract? (2)
 - 2.3 How is severance pay calculated? (2)
 - 2.4 List the manners in which a contract of employment can be lawfully terminated. (4)
 - 2.5 What is vicarious liability? (4)
 - 2.6 What are the requirements for “negligence” in terms of the law of delict? (4)
 - 2.7 In terms of the law of contract, what is “specific performance”? (2)
- [20]**

Question 3 follows on the next page

QUESTION 3

Sportswear manufacturers Niknik sign a contract with a top Namibian footballer in terms of which they would pay him a substantial amount of money to wear only their brand of clothing, which they would provide to him free of charge. The contract does not specify the date of delivery.

Answer the following questions based on the above facts:

- 3.1 Two months after entering into the contract Niknik have not yet delivered the clothing. Have they breached the contract? Explain in full. (6)
- 3.2 In the event of Niknik being in breach of contract, advise the footballer as to the legal remedies to him, with specific emphasis on what they have to prove in order to succeed in their claim. (9)
- [15]**

QUESTION 4

John Malindi agreed with Sunshine Sports Club (SSC) to build them a new place of business. SSC would pay Mr Malindi a deposit of 20% and the outstanding amount at the completion of the new building. Mr Malindi would provide his own workers and tools.

During construction, Sam, a visitor to the construction site, was injured when Petrus threw a brick from the first floor because he chose not to follow a safety rule laid down that all extra bricks must be carried down. Petrus was paid a monthly salary by Mr Malindi.

Answer the following questions based on the above facts.

- 4.1 Petrus is expected to work six days a week (Mondays to Saturdays). What is the maximum hours he may work per day and per week? (2)
- 4.2 Mr Malindi expects of Petrus to work non-stop, without taking a break. Is this permissible? (4)
- 4.3 How must Mr Malindi remunerate her Petrus if he works overtime? (1)
- 4.4 Sam wants to sue SSC for his injuries. Can he do it? Motivate your answer in full. (3)
- 4.3 After the incident, Mr Malindi chased Petrus away because of his misconduct which jeopardised the safety of others. Did Mr Malindi act fairly? (5)
- [15]**

QUESTION 5

Rule 10.2 of the official rules of hockey states that “protective headgear must be worn by a player with goalkeeping privileges when defending a penalty corner or penalty stroke.” Rule 11.1 states that “(the) umpires control the match, apply the Rules and are the judges of fair play.”

During a local club match Tally was playing as a player with goalkeeping privileges. Umpire Bonga noticed that she was not wearing a face mask when preparing to defend a penalty corner. He stopped the game and asked her why she was not wearing a mask, to which she replied that the mask made her feel hot and sweaty. Umpire Bonga then said “okay” and allowed the match to continue. Towards the end of the match Tally was once again defending a penalty corner without wearing a mask when the ball hit her in the face. She sustained a severe injury.

Tally’s friend Teven, a NUST dropout who is incomprehensible even when he is sober, advises her that she can claim her medical costs resulting from the injury from the umpire and the hockey union.

Answer the following questions based on the above facts:

- 5.1 List the elements of a delict. (5)
- 5.2 Advise Tally on her chances of being successful in her claim against Umpire Bonga. (10)
- [15]**

QUESTION 6

The players of the Magic Stars Football Club (MSFC) are not satisfied with their remuneration. The players made a demand for the creation of a pension fund and an adjustment to their remuneration so that contributions can be made to such a fund in addition to what they receive. The club’s management failed to respond. The players decided to revert to industrial action.

Answer the following questions based on the above facts:

- 6.1 Which industrial action can the players revert to? Motivate your answer. (2)
- 6.2 Discuss the procedures which need to be followed before the players can embark on a lawful industrial action. (10)
- 6.3 After the dispute has been resolved some of the players are very upset to find that their wages for the duration of the industrial action has been deducted from their monthly remuneration. May MSFC do this? Motivate your answer. (3)
- [15]**

TOTAL MARKS 100