



ZIMBABWE EZEKIEL GUTI UNIVERSITY

FACULTY OF BUSINESS, ECONOMICS AND ACCOUNTING

DEPARTMENT OF BUSINESS ADMINISTRATION AND MANAGEMENT

EXAMINATION PAPER

COURSE CODE : CPS 202

COURSE TITLE : LEGAL ASPECTS IN PURCHASING AND SUPPLY

SPECIAL REQUIREMENTS : NO SPECIAL REQUIREMENTS

DURATION

LEVEL

DATE

3 Hours
ZIMBABWE EZEKIEL GUTI UNIVERSITY
EXAMINATIONS OFFICE
: 2.1
: 20 AUG 2021
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INSTRUCTIONS TO CANDIDATES:

1. No cell phones are allowed in the examination venue.
2. Answer any **FOUR (4)** questions.
3. Begin each question on a new page.
4. The number of marks for each question or part question is shown in brackets []

Question 1

- a) Explain the doctrine of judicial precedence. **[9Marks]**
- b) Explain the term “write of execution,” as used in the context of procurement laws. **[6 Marks]**
- c) Examine the principle of consideration citing relevant cases. **[10 Marks]**

Question 2

As the procurement Manager of city of Harare who is guided by the Public Procurement and Disposal of Public Assets Act Chapter 22:23 (PPDPAA) and regulations of PPDPAA of 22:23 of 5 December 2018.

Discuss the procurement process you would use to hire the services of a consultant engineers to carry out a feasibility study of rehabilitating Morton different residential areas as well as the City Centre. **[25 marks]**

Question 3

Discuss the issue of unfair contract terms. **[25 Marks]**

Question 4

Discuss the following terms as they are used in the resolution of disputes in procurement laws;

- a) Adjudication **[15 Marks]**
- b) Arbitration **[10 Marks]**

Question 5

Evaluate the issue of defects liability clause. **[25 Marks]**

THE END