



ZIMBABWE EZEKIEL GUTI UNIVERSITY
FACULTY OF BUSINESS, ECONOMICS AND ACCOUNTING
DEPARTMENT OF ACCOUNTING AND FINANCE

EXAMINATION PAPER

COURSE CODE : CAC 122
COURSE TITLE : BUSINESS LAW
SPECIAL REQUIREMENTS : NONE
DURATION : 3 Hours
LEVEL : 1.2
DATE : 07 JUL 2022

INSTRUCTIONS TO CANDIDATES:

1. No cell phones are allowed in the examination venue.
2. Answer **all** 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. One of the requirements for the validity of a contract is that it must be enforceable at law. In light of this assertion, elucidates factors that militates against enforceability of a contract (s). [15 marks]
- b. Elaborate on the forms of discharging a contract. [10 marks]

[Total 25marks]

Question 2

Dr Matengo, a guest at a hotel, was given a register to sign. He signed the register without reading or familiarising himself with a clause that exempted the hotel from claims arising out of loss of property at the hotel. Dr Matengo's clothes were stolen and the hotel refused to compensate him. Dr Matengo approaches you for advice.

Required:

- a. Advice Dr Matengo on the general rule applicable in the circumstances. [15 marks]
- b. State and explain the exceptions to the general rule. [10 marks]

[Total 25marks]

Question 3

- a. What remedies are available for breaching a contract? [10 marks]
- b. What are the duties of a lessor and that of a lessee in a lease agreement [10 marks]
- c. Write short notes on the legal principle of **huur gaat voor koop** and the **fraudem legis**. [5 marks]

[Total 25marks]

Question 4

- a. Identify and explain the characteristics of a good law [5 marks]
- b. Identify and explain the five generally recognised sources of law [10 marks]
- c. What is the purpose of law? [5 marks]
- d. What requirements must be met for a custom to be recognised as a legal rule? [5 marks]

[Total 25marks]

END OF EXAMINATION QUESTION PAPER