



**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** : 17 JAN 2023

**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. In relation to the legal system of Zimbabwe, explain the meaning of judicial precedent and outlining its major advantages and disadvantages. [15 marks]
- b. Write brief notes on the importance of Roman and Dutch law as a source of law in Zimbabwe and also outline why the prevalence of Roman- Dutch law in Zimbabwe yet once colonised by the British? [10 marks]

[Total 25marks]

### Question 2

A friend of yours from abroad is considering setting up a business in Zimbabwe. Your friend would like to know the law that relates to the contracts of lease in the country.

#### Required:

Write a report for your friend explaining the following matters:

- a. The huur gaat koop principle. [10 marks]
  - b. The ways in which a contract of lease can be terminated. [15 marks]
- [Total 25marks]

### Question 3

- a. Explain the following terms and showing their meaning and application.
  - i. Supervening impossibility
  - ii. Traditio brevi manu
  - iii. Restraint of trade clause
  - iv. Estoppel
  - v. Vicarious liability

[Total 25marks]

### Question 4

An old man ailing in hospital agreed to transfer his farm to the doctor. The old man now refusing to transfer the farm. He is claiming that he had been sick, spiritually, mentally and physical weak and was totally at the mercy of the doctor when he agreed to transfer the farm.

#### Required:

Discuss what the old man must establish in order to rescind the transfer.

[Total 25marks]

**END OF EXAMINATION QUESTION PAPER**