



ZIMBABWE EZEKIEL GUTI UNIVERSITY

FACULTY OF BUSINESS, ECONOMICS AND ACCOUNTING

DEPARTMENT OF ACCOUNTING AND FINANCE

EXAMINATION PAPER

COURSE CODE : CAC 104
COURSE TITLE : COMMERCIAL LAW II – SPECIAL EXAMINATION
DURATION : 3 Hours
DATE : 27 May 2019

INSTRUCTIONS TO CANDIDATES:

1. This question paper contains seven (7) questions.
2. Answer any FOUR (4) questions only.
3. Each question carries 25 Marks.
4. Start each question on a new page of your answer sheet.
5. This question paper comprises 2 printed pages

Question 1

Identify and explain the rights and duties of parties under contract of sale.

[25 marks]

Question 2

Explain what is a valid contract, the contractual capacity in a contract and disqualification of parties and termination of a contract at law.

[25 Marks]

Question 3

Discuss the essential elements of law of carriage. Further discuss the types, the legal principles worth noting and the types of carriers under law of carriage.

[25 marks]

Question 4

Explain the different types of Agents and further discuss the essential elements that make up an Agent and Principal relationship at law.

[25 marks]

Question 5

Law of lease is basically premised on a special relationship that is concerned with immovable property. Discuss the implied duties that the lessor owes to the lessee and those that the lessee owes to the lessor.

[25 marks]

Question 6

List and discuss any 5 special sales in contract law.

[25 marks]

Question 7. Write notes of the following;

- a. Remedies for latent defects under contract of sale (10 marks)
 - b. Passage of ownership under contract of sale (10 marks)
 - c. Seller's duty to deliver the merx in a sale. (5marks)
- [25 marks]