



**ZIMBABWE EZEKIEL GUTI UNIVERSITY**

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**FACULTY OF BUSINESS, ECONOMICS AND ACCOUNTING**

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**DEPARTMENT OF ACCOUNTING AND FINANCE**

**EXAMINATION PAPER**

**COURSE CODE** : CAC 104  
**COURSE TITLE** : COMMERCIAL LAW II  
**DURATION** : 3 Hours  
**DATE** :

**INSTRUCTIONS TO CANDIDATES:**

1. Answer any FOUR questions only.
2. Choose at least ONE question from each section.
3. Each question carries 25 Marks.
4. Start each question on a new page of your answer sheet.

**SECTION A**

**Question One**

(a) Using case law and authoritative text, discuss the aspects of seller's duty to guarantee the buyer against latent defects, clearly exhibiting remedies available where latent defects are found under contract of sale. [20 marks]

(b) Give five examples of things that can be sold in a contract of sale. [5marks]

[Total 25 marks]

**Question Two**

(a) Under the law of agency, one of the essential elements is that there should be authorization of the agent by the principal. With reference to relevant authoritative text, discuss the various forms of authorization under the law of agency. [15 marks]

(b) List and explain the duties of an agent and a principal under the law of agency. Reference must be made to relevant caselaw. [10 marks]

[Total 25 marks]

**SECTION B**

**Question Three**

(a) Under the law of sale discuss the various ways of delivery. [15 marks]

(b) With reference to caselaw, explain the duties of the seller to the buyer. [10 marks]

[Total 25 marks]

**Question Four**

(a) Under the law of lease what are the duties of a lessor. [10 marks]

(b) Discuss the circumstances under which a lease agreement may be terminated.[15 marks]

[Total 25 marks]

**Question Five**

(a) Identify and explain in detail the essentials of a valid contract. [20 marks]

(b) Explain the differences between a void and a voidable contract. [5 marks]

[Total 25 marks]

\*\*\*\*\*END OF PAPER\*\*\*\*\*