



ZIMBABWE EZEKIEL GUTI UNIVERSITY

FACULTY OF BUSINESS, ECONOMICS AND ACCOUNTING

DEPARTMENT OF ECONOMICS AND BUSINESS SCIENCES

EXAMINATION PAPER

COURSE CODE : CPS 202
COURSE TITLE : LEGAL ASPECTS IN PURCHASING AND SUPPLY
SPECIAL REQUIREMENTS: NO SPECIAL REQUIREMENTS
DURATION : 3 Hours
LEVEL : 2.1
DATE : 29 MAR 2021

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

You are 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 procedure process you would use to procure 5 refuse compactor trucks. **(25 Marks)**

Question 2

a) Examine the causes of the battle of the forms in procurement contracts and provide the mitigation to reduce the battle of the forms in procurement contracts. **(10 Marks)**

b) Giving practical examples, of your choice explain the use of the following terms in legal aspects in purchasing;

i) Consideration **(5 Marks)**

ii) Write of execution **(5 Marks)**

iii) Option of acceptance **(5 Marks)**

Question 3

a) Examine the criteria used on the termination of a procurement contract. **(10 Marks)**

b) Explain the following incoterms clearly showing the risks associated with the seller and the buyer;

i) EXW **(3 Marks)**

ii) FAS **(3 Marks)**

iii) CPT **(3 Marks)**

iv) DDP **(3 Marks)**

v) CIF **(3 Marks)**

Question 4

Evaluate the application of model form contracts in the legal aspects of supply chain management. **(25 Marks)**

Question 5

Discuss the criteria used to resolve commercial disputes emanating in the procurement contracts.

(25 Marks)

END