

BINDURA UNIVERSITY OF SCIENCE EDUCATION

FACULTY OF COMMERCE

DEPARTMENT OF ACCOUNTANCY

NOV 2023

PROGRAMMES

Bachelor of Accountancy (Honours) Degree

Bachelor of Commerce (Marketing) Degree

Bachelor of Business Studies (Banking and Finance) Degree

Bachelor of Business Studies Human Resources Management Degree

Bachelor of Commerce (Financial Intelligence) Degree

Bachelor of Business Administration (Police and Security Studies) Degree

Bachelor of Commerce (Purchasing and Supply) Degree

COURSE: BUSINESS LAW (AC102) EXAMINATION PAPER

Time: 3 hours.

INSTRUCTIONS TO CANDIDATES

1. Answer all questions.
2. All questions carry equal marks.
3. Where necessary candidates are encouraged to make reference to case law.

1. Explain the following terms and phrases showing the meaning and application:
 - a. Judicial precedence. (5 marks)
 - b. Contract in restraint of trade. (5 marks)
 - c. Bill of exchange. (5 marks)
 - d. Tacit hypothec. (5 marks)

[Total: 20 marks]

2.
 - a. Discuss the remedy of damages under the law of contract. (5 marks)
 - b. Highlight the essential elements of a valid contract of agency. (5 marks)
 - c. Distinguish between an advertisement and an offer. (5 marks)
 - d. Compare and contrast actual authority and apparent authority. (5 marks)

[Total: 20 marks]

3. Munyama is authorised to drive a tractor at Shumba (Pvt) Ltd farm. On his birthday, during lunch time, Munyama drives the tractor down the main road to the pub. On the way he crashes into a car, severely injuring the occupants.

Required:

Making reference to relevant case law, discuss the legal position of the Shumba (Pvt) Ltd in the circumstances. **[20 marks]**

4. A friend of yours who was deported from the United Kingdom is thinking of setting up an estate agency business in Zimbabwe. Your friend is keen to understand Zimbabwean law as it relates to agency and the law of lease.

Required:

Draft a report for your friend explaining the following matters:

- a. The duties of an agent. (10 marks)
- b. The remedies available to a lessee in the event of a breach of contract of lease. (10 marks)

[Total: 20 marks]

5. Daddy Lazarus, a leader of a religious cult recruits Tendai who has recently divorced her husband. As part of the divorce settlement, Tendai received US\$200 000 from her husband. In an effort to forget her failed marriage, Tendai throws herself wholeheartedly into the affairs of the sect and she becomes subservient to the will of Daddy Lazarus. In these circumstances, Daddy Lazarus persuades Tendai to sign an agreement donating her entire US\$200 000 to the sect in return for life membership. Tendai has now become disillusioned with the sect and now wants to recover her donation.

Required:

Advise Tendai on her legal position.

[20 marks]

END OF EXAMINATION PAPER