



GWANDA STATE UNIVERSITY
FACULTY OF BUSINESS SCIENCES AND MANAGEMENT
BACHELOR OF COMMERCE HONOURS DEGREE IN ACCOUNTING
COMMERCIAL LAW I - [BAC1104]

FINAL EXAMINATION

MAY/JUNE 2023

TIME: 3 HOURS

INSTRUCTIONS TO CANDIDATES

- Answer any **FOUR (4)** questions.
- Start the answer to each full question on a fresh page of the answer sheet.
- Questions may be written in any order, but must be legibly numbered.
- Candidates must not take the Banking Act (Chapter 24:20) in the examination

INFORMATION FOR CANDIDATES

The facts in this question paper are intended to be fictitious
The paper contains SIX (6) questions.
All questions carry equal marks [25 marks].

This paper consists of 3 printed pages.

Question 1

- a) State and briefly explain **three** functions of law. [10 marks]
- b) State and explain two theories of law. [10 marks]
- c) Explain the meaning of the term '*Ratio decidendi*'. [5 marks]

TOTAL [25 marks]

Question 2

- a) State and briefly explain the various ways through which an offer may terminate under the law of contract. [15 marks]
- b) Explain ways through which capacity, consensus and illegality may affect the validity of a contract. [10 marks]

TOTAL [25 marks]

Question 3

- a) State and briefly explain **five** duties of an agent. [10 marks]
- b) Explain the various ways through which an agency relationship may come to an end. [15 marks]

TOTAL [25 marks]

Question 4

Discuss the various ways through which a contract may be discharged under contract law. [25 marks]

TOTAL [25 marks]

Question 5

- a) In what ways is a partnership contract different from an ordinary contract? Explain your answer. [15 marks]
- b) Explain **five** ways through which a partnership may be terminated. [10 marks]

TOTAL [25 marks]

Question 6

In what way(s) is the landmark decision of *Salomon v Salomon & Co Ltd* [1897] AC 22 a fundamental principle of company law? Explain your answer

[25 marks]

TOTAL [25 marks]

END

