



FACULTY OF BUSINESS SCIENCES AND MANAGEMENT

DEPARTMENT OF MARKETING

BACHELOR OF COMMERCE HONOURS DEGREE IN MARKETING

BUSINESS LAW PAPER 1 [BMA 1205]

FINAL EXAMINATION

JUNE 2025

DURATION: 3 HOURS

INSTRUCTIONS

1. Answer **QUESTION ONE (Compulsory)** and any other **THREE questions**.
2. Each question carries 25 marks.
3. Begin each question on a new page.
4. Please indicate the study mode (Conventional/Block) on the cover of your answer script.

INFORMATION

1. Marks per question are as indicated.
2. Questions may be attempted in any order.
3. This paper consists of two printed pages including the cover page

\Question 1

(a) To what extent are law and morality distinguishable in theory and practice in Zimbabwe?
(10 marks)

(b) Discuss the justification for the introduction of the sugar tax in Zimbabwe.
(15 marks)

Question 2

(a) 'The fiduciary duty is the fundamental duty in business, and every office bearer must uphold it without waiver.'

In this light, explain the concept of fiduciary duty.

(15 marks)

(b) Discuss the nature of delivery under sale of goods in business law.

(10 marks)

Question 3

(a) Discuss the composition and jurisdiction of any three specialised courts in Zimbabwe.

(15 marks)

(b) Explain the doctrine of subrogation under insurance in Zimbabwe.

(10 marks)

Question 4

(a) Distinguish between an *inter vivos* and a *mortis causa* trust. (10 marks)

(b) Illustrate the priority of claims during winding up of a business.

(15 marks)

Question 5

(a) Dubula is employed as an executive director of Extra Capital (Pvt) Limited. In the course of his employment, a customer, Radopa engaged with Extra Capital (Pvt) Limited to its prejudice through representation by Dubula in that 'eating of quail eggs would enhance intelligence.' However, a contemporary study carried out by the National Discovery and Invention Board has unearthed that there is no connection between intelligence and

consumption of quail eggs. Radopa wants to sue and recover damages for this misrepresentation.

Identify and justify the principle that would sustain Radopa to sue Extra Capital (Pvt) Limited with respect to delict law.

(15 marks)

(b) To what extent is the nature of negotiable instruments important in enhancing business?

(10 marks)

Question 6

(a) Compare arbitration and court litigation in resolution of disputes.

(10 marks)

(b) Discuss the five essential elements of a valid contract.

(15 marks)

END OF EXAMINATION PAPER