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ATD LEVEL I

DCM LEVEL I

PRINCIPLES OF BUSINESS LAW

MONDAY: 17 May 2021.

Time Allowed: 3 hours.

Answer any FIVE questions.

ALL questions carry equal marks.

QUESTION ONE

- (a) Explain two differences between the “civil burden of proof” and “criminal burden of proof”. (4 marks)
- (b) Describe four types of jurisdiction of the High Court in your country. (8 marks)
- (c) Outline eight functions of administrative law. (8 marks)
- (Total: 20 marks)**

QUESTION TWO

- (a) With reference to sources of law:
- (i) State five fundamental freedoms protected under the Constitution. (5 marks)
- (ii) Highlight three disadvantages of common law. (3 marks)
- (b) Summarise four principles of alternative dispute resolution (ADR). (8 marks)
- (c) Explain four ways through which a contract of guarantee might be discharged. (4 marks)
- (Total: 20 marks)**

QUESTION THREE

- (a) In the context of the law of persons:
- (i) Describe six features of co-operative societies. (6 marks)
- (ii) Highlight four limitations of unincorporated associations. (4 marks)
- (b) With reference to the law of tort, explain the following terms:
- (i) Absolute liability. (2 marks)
- (ii) Vicarious liability. (2 marks)
- (c) Discuss three essential elements of the tort of vicarious liability. (6 marks)
- (Total: 20 marks)**

QUESTION FOUR

- (a) In relation to the law of contract:
- (i) Explain three circumstances under which an offer might be terminated. (6 marks)
- (ii) Distinguish between “conditions” and “warranties”. (4 marks)

- (b) (i) Outline five obligations of the hirer under a hire purchase agreement. (5 marks)
- (ii) Highlight five ways through which a hire purchase agreement might be terminated. (5 marks)
- (Total: 20 marks)**

QUESTION FIVE

- (a) (i) Outline six features of a contract of sale of goods. (6 marks)
- (ii) State four rules governing delivery in a sale of goods contract. (4 marks)
- (b) In relation to the law of agency:
- (i) Explain three conditions for commercial agency by necessity to arise. (6 marks)
- (ii) Highlight four conditions for a valid agency by ratification to arise. (4 marks)
- (Total: 20 marks)**

QUESTION SIX

- (a) (i) Summarise five characteristics of a bill of exchange. (5 marks)
- (ii) Identify three parties to a promissory note. (3 marks)
- (b) With reference to the law of insurance:
- (i) Explain six advantages of insurance. (6 marks)
- (ii) Evaluate three types of policies available under the contract of marine insurance. (6 marks)
- (Total: 20 marks)**

QUESTION SEVEN

- (a) In relation to the law of property:
- (i) Highlight six interests which might be created in land. (6 marks)
- (ii) List four categories of trademarks. (4 marks)
- (b) (i) Outline two ways through which a partner might retire from a partnership. (4 marks)
- (ii) State six rights of partners in a partnership. (6 marks)
- (Total: 20 marks)**
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