



BUSINESS LAW

December 2021

Time allowed

Three hours

Instructions

- Write the question number next to each answer in your answer booklet.
- You are not required to rewrite the question in your answer booklet.
- Ensure that you pay particular attention to words in **bold**.

Information

- Different questions may carry a different number of marks.
- Marks for each question are shown in [].

Advice

- Read each question carefully before you start to answer it.
- Use the full time permitted and check all your answers.

Materials

- Notes or books are not permitted.
- Non-programmable calculators are permitted.



ICM

ANSWER ANY FIVE QUESTIONS FROM THE FOLLOWING EIGHT QUESTIONS

1. In the context of tort law:
 - (a) Explain what is meant by defamation and the process for a claimant taking action. [8 marks]
 - (b) Explain the difference between libel and slander. [5 marks]
 - (c) Discuss the defences that can be used with regard to defamation. [7 marks]

2. A director of a company is a person from a group of managers who is appointed to manage the day-to-day business activities and finances.
 - (a) Describe the process for appointing a director. [5 marks]
 - (b) Describe the fiduciary duties and the statutory general duties that are placed on directors of a company. [15 marks]

3.
 - (a) Explain the similarities and difference between the role of a solicitor and the role of a barrister. [9 marks]
 - (b) Describe the process for appointing a judge. [6 marks]
 - (c) Discuss the function of a judge in the criminal justice system. [5 marks]

4. Agency is the relationship which exists between the principal and the agent who has been authorised to act for him.
 - (a) Discuss the authority that an agent has to act on behalf of the principal. [10 marks]
 - (b) Explain the rules that apply when an individual sues an agent. [10 marks]

5. Discuss the essential elements of a contract including the additional requirement of consideration. [20 marks]

6. The sale of goods is governed by the Sale and Supply of Goods to Consumer Regulations 2002.
 - (a) Explain what is meant by goods. [3 marks]
 - (b) Describe the rules that govern a transfer of ownership. [13 marks]
 - (c) Explain the requirements for satisfactory quality and fitness for purpose. [4 marks]

7. In a contract of employment there is the relationship of employer and employee. Discuss the common law duties placed upon both an employer and an employee. [20 marks]

8.
 - (a) Explain what is meant by the following in the context of partnership law:
 - (i) Sole trader [3 marks]
 - (ii) Dormant partner [2 marks]
 - (iii) Salaried partner [1 mark]
 - (b) Discuss how dissolution occurs in partnership law. [6 marks]
 - (c) Explain the similarities and differences between partnerships and limited liability in the context of partnership law. [8 marks]

END OF QUESTIONS