



ICM

JUNE 2018

BUSINESS LAW

Instructions to candidates:

- a) Time allowed: Three hours (plus an extra ten minutes' reading time at the start – do not write anything during this time)
 - b) Answer any FIVE questions
 - c) All questions carry equal marks. Marks for each question are shown in []
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- 1.
 - a) What is a **misrepresentation**?
 - b) What kinds of misrepresentation are there?
 - c) What is its effect on a contract? [20]
 - 2.
 - a) In relation to sale of goods, explain the difference between a condition and a warranty.
 - b) What does the Sale of Goods Act 1973 say about the following?
 - i Title
 - ii Description
 - iii Satisfactory quality
 - iv Sale by sample [20]
 - 3. What are the different tests available to distinguish between an employee and an independent contractor? [20]
 - 4. Explain the way in which a company goes into liquidation. [20]
 - 5. Write an account of the different kinds of nuisance. [20]
 - 6. The main sources of law are **case law** and **statute law**. Explain how they are formed and used in deciding problems in court. [20]
 - 7. In relation to agency, explain:
 - a) The difference between a special agent, a general agent and a universal agent.
 - b) The different ways an agent can be appointed.
 - c) The different types of agent and what their authority is. [20]
 - 8. In relation to partnership, write an account of the following:
 - a) The definition of a **partnership**, making comments on the different parts of the definition.
 - b) The authority of the partners.
 - c) The liability of the partners in relation to each other and in relation to the partnership's contracts. [20]