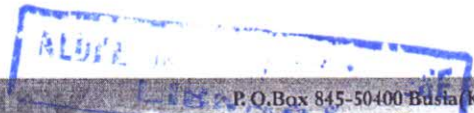


BBM 121



**ALUPE UNIVERSITY COLLEGE**  
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ACADEMICS, STUDENT AFFAIRS AND RESEARCH

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# UNIVERSITY EXAMINATIONS

## 2017 /2018 ACADEMIC YEAR

FIRST YEAR SECOND SEMESTER REGULAR EXAMINATION



# FOR THE DEGREE OF BACHELOR OF BUSINESS MANAGEMENT

**COURSE CODE:           BBM 121**

**COURSE TITLE:         BUSINESS LAW**

**DATE: 26<sup>TH</sup> APRIL, 2018**

**TIME: 2 PM – 5 PM**

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### INSTRUCTION TO CANDIDATES

- SEE INSIDE

**THIS PAPER CONSISTS OF 4 PRINTED PAGES**

**PLEASE TURN OVER**

**BBM 121: BUSINESS LAW****STREAM: BBM****Duration: 3 hours****INSTRUCTIONS TO CANDIDATES**

- i. Answer *Question ONE* and any other *TWO* questions
- ii. *Question ONE* carries 30 marks
- iii. Do not write on the question paper

**Question One**

- (a) How true is it to say that in order for a contract to be discharged by performance, the performance must be precise and exact? (10 marks)
- (b) Annan agreed to paint Angela's house at an agreed price. When Annan had finished the work. Angela discovered that although most of the painting was satisfactory, Annan had forgotten to apply a coat of gloss paint on one of the doors. Annan fell ill and could not complete the work. Angela refused to pay Annan the contractual price, claiming that the contract had not been fully executed and that therefore he was entitled to be paid only a reasonable sum for the work he had actually undertaken. This, Annan claimed, was much less than the contract price.

Advise Annan.

(10 marks)

- c) A will is a declaration made by a person during his lifetime, of his intention concerning disposal of his property after his death. In relation to wills:
- i. Explain the characteristics of a valid will. (4 marks)
  - ii. Describe the formalities of a valid will. (6 marks)

**Question Two**

- (a) Explain the evolution of the doctrine of equity, indicating its contribution to the legal system of your country. (10 marks)
- (b) Write explanatory notes on the following:
- (i) Supremacy of the constitution. (3 marks)

- (ii) The rule of law. (3 marks)
- (c) Identify the factors that may undermine the rule of law in a country. (4 marks)

**Question Three**

- (a) State and explain four types of legacies. (8 marks)
- (b) Paul wrote a will and bequeathed all his property to his wife Nina. Two years later, Paul was diagnosed as suffering from a terminal disease. He blamed it on his wife Nina and then called his friends Mark and Matthew and verbally told them in case he died before Nina, she should not inherit his property, instead all his property should be inherited by his mother Tina. Paul died three weeks ago and Nina has sought to inherit his property under the will, but Paul's mother has vehemently resisted Nina's claim.

Discuss the legal position of Nina and Tina.

(12 marks)

**Question Four**

- (a) Giving illustrations, explain the postal rules that govern offer and acceptance where contracts are communicated and concluded through post. (8 marks)
- (b) Saida planned to stage a big band concert and engaged a number of eminent musicians. She paid each musician 10% of the agreed fee at the time the separate contracts were made. Five days before the concert, Saida was informed that three of the musicians Yvonne, Omar and Mike would not appear. Yvonne could not come as she was bed ridden with acute bronchitis. Omar was unable to attend the concert as his country was engaged in war and Mike could not show up because his fees was not large enough. Saida was concerned and feared that the concert would be a failure. Saida therefore decided to cancel the concert. Saida seeks your advice on her legal rights against the three musicians.

Advise Saida.

(12 marks)

**Question Five**

- (a) Explain the difference between:
  - (i) Public and private law. (4 marks)
  - (ii) Procedural and substantive law. (4 marks)
- (b) The constitution provides that when a bill has been passed by the National Assembly it shall be presented to the President for assent.

Explain the stages that a bill shall go through before it comes into operation as an Act of Parliament. (12 marks)

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