



# ICM

SEPTEMBER 2017

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. Explain the different ways in which a contract may be discharged. [20]
  - 2. Case law is made by the results of different cases in the civil courts. Explain how this happens. [20]
  - 3. Give a definition of a **partnership**. Explain:
    - a) how a partnership is formed
    - b) what different kinds of partners there may be
    - c) what liabilities the partners have regarding debts
    - d) the main differences between partnerships and limited liability companies [20]
  - 4. Explain the law relating to the inclusion of exemption clauses in a contract. [20]
  - 5.
    - a) Write an account of the **tort of negligence**.
    - b) Analyse the following case and say what you think the result will be:

George was a taxi driver and one day, not looking where he was going, he drove his taxi over a boy's bike and damaged it. Luckily, the boy was not on the bike but close by and screamed when he saw his bike being damaged. His mother was in the house and heard the scream. When she looked out of the window she saw the taxi and the damaged bike and thought that her son had been injured. She suffered shock and was ill for some time. Later, she sued the taxi driver for negligence.

 [20]
  - 6. Describe the contents of sections 14 and 18 in the Sale of Goods Act 1979. [20]
  - 7. In relation to defamation:
    - a) Explain the difference between libel and slander.
    - b) What are the defences to an action for defamation? [20]
  - 8.
    - a) What are the different ways in which an agent may be appointed?
    - b) Describe the type of work of the following agents:
      - i Auctioneer
      - ii Factor
      - iii Broker
      - iv Del credere agent [20]