



**AFRICA
UNIVERSITY**

(A United Methodist-Related Institution)

“Investing in Africa’s Future”

**FACULTY OF MANAGEMENT AND
ADMINISTRATION**

COURSE TITLE: MMS 203 - BUSINESS LAW (CONVENTIONAL)

SEMESTER 1: FINAL EXAMINATION NOVEMBER 2013

LECTURER: MR. A MUTUNGURA

TIME: 3 HOURS

INSTRUCTIONS

Answer **all** questions from Section A and B and **any** Three from Section C

Start **each** question on a new page in your answer booklet.

The marks allocated to **each** question are shown at the end of the section.

Credit will be awarded for logical, systematic and **neat** presentations.

SECTION A

1. What is company capital? [1]
2. Define animus contrahendi [1]
3. What is a contract of employment? [1]
4. What is law? [1]
5. What is bill of exchange? [1]

TOTAL [5]

SECTION B

1. Outline any 3 essential elements of a cash insurer. [3]
2. Outline the court hierarchy in Zimbabwe. [3]
3. List and explain three alterations that effects a negotiable instrument. [3]
4. List and explain any four essential elements of a contract of partnership[3]
5. Differentiate warranty from guarantee. [3]

TOTAL [15]

SECTION C

1. To what extent does the doctrine of sancity and privity of contract still apply in Zimbabwe. [20]
2. “.....the court may ‘lift the veil’ only where otherwise as a result only of its existence fraud would exist or manifest justice is denied” As per NDOU in MKOMBACHATO v COMMERCIAL BANK OF ZIMBABWE LTD & ANOR 2002 (1) ZLR 21 (H). with reference to the above discuss the principle of separate legal persona. [20]
3. Explain any 4 sources of law. [20]
4. List and explain the employee’s rights in a contract of employment. [20]

TOTAL [60]