



COLLEGE OF BUSINESS, PEACE, LEADERSHIP AND GOVERNANCE

NMMS207: BUSINESS/COMMERCIAL LAW

END OF SECOND SEMESTER EXAMINATIONS

APRIL 2023

LECTURER: MRS MAGWAGWA

DURATION: 3 HOURS

INSTRUCTIONS

You are required to answer questions as instructed below:

Answer Any Four (4) questions

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

Make reference to relevant case law.

Question One

- a. Explain the types of law and the types of courts and their functions. **[15 Marks]**
- b. Explain the doctrine of separation of powers **[10 Marks]**

Question Two

Robert Chingwinyiso bought an Isuzu KB 250 twin cab from Themba Muchabveyo for USD \$10 000. After full payment, Themba delivered the vehicle to Robert. Robert drove the vehicle to Bulawayo and back to Mutare but however, the vehicle broke down 5 times. With reference to case law, discuss the remedies, if any for Robert. **[25**

Marks]

Question Three

Write and discuss critically the following:-

- a. Unfair labour practices **[8 Marks]**
- b. Contractual capacity **[7 Marks]**
- c. Meeting of minds **[5 Marks]**
- d. Magistrates court **[5 Marks]**

Question Four

Aurora Fairchild signed a contract with Ivanna Springs to supply her with 400m³ of timber by the 30th of October 2022. Aurora only delivers 250m³ of timber on the 30th of October 2022.

- a. With reference to case law what remedies if any does Ivanna have for failure to oblige to the contract **[18Marks]**
- b. Aurora gets information that Ivanna was declared insolvent prior to the signing of the contract. Advise Aurora on what she should do. **[7 Marks]**

Question Five

- a. What is your understanding of insurance law and how such a contract works and may be considered complete? **[15 Marks]**
- b. Explain in detail the sources of law in the Zimbabwean system **[10 Marks]**

END OF EXAMINATION