



COLLEGE OF SOCIAL SCIENCES, THEOLOGY, HUMANITIES & EDUCATION

**NHIR 316: LAW OF CONTRACT
END OF SECOND SEMESTER EXAMINATIONS**

NOVEMBER/DECEMBER 2025

LECTURER: DR N. PINDUKA

DURATION: 3 HRS

INSTRUCTIONS

This paper contains **TWO** sections (A and B).

Section A is **COMPULSORY**.

Answer **ANY TWO (2) questions** from Section B.

Start each question on a new page in your booklet.

Do not repeat material.

SECTION A: COMPULSORY

Question 1

You are serving as the International Legal Agreements Advisor for a non-profit organization known as the Black and White Africa Youth Movement. Recently, a pressing case has come to your attention that requires your expert legal opinion. Approximately three months ago, your organization entered into a humanitarian agreement with I-Mentor Africa, a similarly international non-profit organization. Although the contract was successfully concluded, your organization's Director has raised serious concerns regarding the circumstances that led to this agreement. One of your representatives who was involved in the negotiation process has expressed that she experienced a subtle yet undeniable pressure from the representatives of I-Mentor Africa. This pressure significantly affected her capacity to make free and independent judgments during the discussions. Furthermore, another representative has reported feeling coerced into agreeing with certain stipulations imposed by I-Mentor Africa's delegates, who, notably, visited his residence around 1 a.m., accompanied by prominent government officials and armed bodyguards. Such an intimidating presence raised serious concerns about the voluntariness of his agreement. Additionally, the Director of your organization has highlighted that some clauses within the contract may have been formulated without a genuine belief in their veracity at the time of the agreement's execution. As a result, there is now considerable uncertainty regarding I-Mentor Africa's true intentions in this contract. This situation necessitates a thorough legal examination to determine the validity and enforceability of the agreement, given the potentially coercive elements involved in its formation.

Based on the facts presented to you above, please prepare a legal opinion challenging the validity and enforceability of the contract that was signed between your organization and I-Mentor Africa.

[40 marks]

SECTION B: ANSWER TWO QUESTIONS

Question 2

Identify and describe the three primary theories of contractual liability. How do these theories differ regarding the obligations imposed on the parties involved, and what remedies are available for each type in the event of a breach? **[30 marks]**

Question 3

As a prominent member of the International Relations Advisory Committee at Africa International, a profit-driven global investment firm, you have been entrusted with the significant responsibility of preparing a comprehensive report on the fundamental elements that constitute a valid contract. This report holds particular importance as our organization seeks to establish a contractual agreement with the government of Zimbabwe for the construction of a pipeline intended to transport liquefied petroleum products. **[30 marks]**

Question 4

Examine the concept of an offer in the context of contract formation, detailing its definition, key characteristics, and the circumstances under which it may be terminated. Reference relevant adjudicated cases to support your response. **[30 marks]**

Question 5

As a member of the advisory committee of your organization, you have been entrusted with the important task of writing a comprehensive legal opinion essay on the different types of breaches of contract, outlining their implications and the legal remedies available to address these breaches. **[30 marks]**

END OF PAPER