

DTEMS PAST PAPERS
Management Studies

SIR ARTHUR LEWIS COMMUNITY COLLEGE
DIVISION OF TECHNICAL EDUCATION AND MANAGEMENT STUDIES

EXAMINATION SESSION : May 2001 Examination
TUTOR(S) : Mr George Charlemagne
PROGRAMME TITLE(S) : Para Legal Studies
PROGRAMME CODE(S) : PAR354
COURSE TITLE : Business Law
COURSE CODE : LAW321
CLASS(ES) : Year 2
DATE : May 9th, 2001
COMMENCEMENT TIME : 9:00 am
DURATION : 2 hours
INVIGILATOR(S) :
ROOM(S) : Admin - Room 1

INSTRUCTIONS

▶ *All Exams Contain Six (6) Questions. Students Must Do Three (3) Of The Six (6) Questions*



1. The doctrine of corporate personality dictates that a company is a separate legal person and that there is no need to go behind the corporate veil to find out why a company was formed.

Critically examine this statement.

2. Your friend Sandra has purchased a colour television on hire purchase for \$200.00. She has already paid \$500.00 towards the television.

She has defaulted in her last three (3) payments and the hirers have sent her by post the required statutory notice that she is in arrear and that the hirers intend to repossess the television.

Sandra only received the notice four (4) months later because of a postal strike. Since the television had stopped working three (3) months ago Sandra left it at the repair shop. When the hirers showed up at her house last week Sandra could not give them the television and as a consequence they told her to make sure that she has the television at her home next week for them to collect. Sandra has only \$200.00 left and wants to know whether she should use it to pay off the television.

Advise Sandra

3. (i) Of what relevance is the “nemo dat” rule to Sale of Goods Legislation. List and discuss at least three (3) exemptions to this rule.
(ii) What are the remedies available to a buyer under the Sale of Goods Legislation?
4. There is an implied condition that goods must be reasonably fit for the purpose for which they are sold. **DISCUSS**
5. (i) Distinguish between a Contract of Services and a Contract for Services explaining the tests used by the Courts in distinguishing between them.
(ii) List and discuss the duties of an employer at common law.
6. Jean and Dinah entered into a business for profit to sell personal services to their clients. They opened bank accounts together, bought a house to conduct their business and placed a sign above it “Jean and Dinah”.

The business flourished and they had many clients. However unknown to Dinah, Jean spent the partnership’s money lavishly and made many orders for goods payment for which is still outstanding.

When Jean found out she gave notice to Dinah and all their old customers that the partnership was to be dissolved. The sign was later taken down and the profit shared.

Dinah later registers a company known as “Jean and Dinah” and uses the same premises to conduct business. Jean and Dinah’s old creditors however are now pursuing Jean for debts owed to them by the partnership and the new company formed by Dinah.

Advise Jean as to her liabilities to the creditors