



REFORMED CHURCH UNIVERSITY

FACULTY OF COMMERCE
BACHELOR OF COMMERCE HONOURS DEGREE IN
LOGISTICS AND SUPPLY CHAIN MANAGEMENT

COMMERCIAL LAW

HLSM 234

PART 2 SEMESTER 1

TOTAL MARKS [100]

DATE: APRIL 2024

Time: 3 Hours

INSTRUCTIONS

1. This paper has ***six (6)*** questions
2. Answer question ***one (1)*** and ***any*** other ***three (3)***
3. Each question carries ***25 marks***
4. Start each question on a new page

Question 1

- (a) Explain Judicial precedence as a source of law (12)
- (b) Analyze the functions of a Judge. (13)

Question 2

Explain the following terms as applied under law of lease.

- (i) Holding over by the lessee. (5)
- (ii) Huur Gaat Voor Koop (5)
- (iii) Hypothec for rent (5)
- (iv) Vacua possession (5)
- (v) Tacit relocation (5)

Question 3

Explain the common law duties of a Seller and a Buyer in a contract of Sale. [25]

Question 4

Chakaza is an illiterate businessman who signs a written contract of Sale without understanding its contents. Discuss the validity of contract. [25]

Question 5

Explain any five (5) implied duties of the landlord at common law. [25]

Question 6

Explain any four ways of creating agency. [25]

END OF PAPER
