



STAMFORD COLLEGE
SCHOOL OF BUSINESS, MARKETING AND ACCOUNTING

DIPLOMA IN BUSINESS ADMINISTRATION
(SEMESTER 4)

DBA 203: COMMERCIAL LAW

Date : 29 August 2007
Time : 2.00pm – 5.00pm

Duration: 3 hours

Instructions to Candidates

Candidates are required to answer any FOUR out of EIGHT questions.

Please ensure that this examination paper contains EIGHT questions on TWO printed pages before you start the examination.

Books, papers and other written materials are not allowed to be brought into the examination hall. A candidate who violates the examination rules of Stamford College or commits a malpractice will be disqualified from the examination.

Write your Examination Index Number on each page of your answer booklet.

Answer any FIVE out of EIGHT questions

Question 1

In relation to the law of contract;

- (a) explain what is meant by “capacity to contract”. What are the exceptions as far as a minor is concerned?

(14 marks)

- (b) list down the basic elements of a contract.

(6 marks)

(Total = 20 marks)

Question 2

A contract of agency can be expressed or implied from certain circumstances and through the conduct of the parties concern. Explain the **FIVE** ways in which an agency can be formed.

(Total = 20 marks)

Question 3

In relation to the law of contract, write short notes on the following:-

- (a) Intention to create legal relations for a domestic agreement.

(6 marks)

- (b) Counter offer.

(6 marks)

- (c) Consideration.

(8 marks)

(Total = 20 marks)

Question 4

State and explain the ways in which an agency can be terminated.

(Total = 20 marks)

Question 5

Explain the following terms in the context of sale of goods:-

- (a) Implied condition (10 Marks)
- (b) Goods (4 Marks)
- (c) Property (3 Marks)
- (d) Possession (3 Marks)

(Total = 20 Marks)

Question 6

Benn insures his house against fire for RM 100,000 with Great Fire Insurance Berhad. Part of Benn's house is subsequently burnt down and RM 50,000 is required to restore it. Advise Great Fire Berhad as to how much, if any, is payable to Benn. Give reasons for your answer.

(Total = 20 Marks)

Question 7

What are the ways in which a contract may be discharged? Give an elaborate explanation in the ways in which a contract may be discharged.

(Total = 20 Marks)

Question 8

What are the ways where partnership can be dissolved?

(Total = 20Marks)

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