

**THE COUNCIL OF COMMUNITY COLLEGES OF JAMAICA****ASSOCIATE OF SCIENCE EXAMINATION****SEMESTER II – 2019 MAY****PROGRAMMES: BUSINESS ADMINISTRATION****COURSE NAME: BUSINESS LAW****CODE: BLAW2401****YEAR GROUP: TWO****DATE: FRIDAY, 2019 MAY 10****TIME: 12:00 NOON – 2:00 P.M.****DURATION: 2 HOURS****EXAMINATION TYPE: FINAL***This Examination Paper has 7 Pages***INSTRUCTIONS:**

1. ANSWER ALL QUESTIONS FROM SECTION A
2. SECTION B CONSISTS OF FOUR (4) QUESTIONS. ANSWER ANY TWO (2)

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## SECTION B

**Instruction:** In the booklet provided, answer any TWO (2) questions from this section.

### Question 1

‘The doctrine of judicial precedent encourages rigidity in our legal system.’

A. Explain the doctrine of judicial precedent. *def 2* *what 3* (5 marks)

B. Explain **THREE (3)** weaknesses and **THREE (3)** strengths of the doctrine. (12 marks) *2x6*

C. Discuss how the structure of the Jamaican court facilitates precedent. (7 marks)

D. Explain how a judge deals with an awkward precedent that he/she does not wish to follow. *give at least 2 cases* (6 marks)

(Total 30 marks)

### Question 2

A. You were a passenger in a taxi which was involved in a head-on collision accident. You were in the front passenger seat and not wearing your seatbelt. As a result, the impact of the collision propelled you such that you suffered a wound to the forehead. The taxi driver was charged for speeding, reckless driving and overtaking on an unbroken white line. The insurance company was reluctant to honor your full claim for the injury sustained.

Discuss why you think this is so. (15 marks)

B. Distinguish between the following terms:

i. Libel and slander (5 marks)

ii. Assault and battery (5 marks)

iii. Private and Public Nuisance (5 marks)

(Total 30 marks)



**Question 3**

- A. Differentiate between the following **TWO (2)** implied conditions covered by the Sale of Goods Act
- i. Fitness for purpose
  - ii. Merchantable quality
- (15 marks)
- B. Explain **THREE (3)** remedies available to the unpaid seller. (15 marks)

*(Total 30 marks)***Question 4**

- A. Describe **THREE (3)** ways in which an agency can be created. (15 marks)
- B. Explain **FIVE (5)** duties of an agent in an agency relationship. (15 marks)

*(Total 30 marks)***END OF EXAMINATION**