

UNIVERSITY OF SWAZILAND
INSTITUTE OF DISTANCE EDUCATION
DEPARTMENT OF LAW
FINAL EXAMINATION PAPER, MAY 2005

TITLE OF PAPER : **LAW OF CONTRACT**

COURSE CODE : **DL 023**

TIME ALLOWED : **THREE (3) HOURS**

INSTRUCTION : **1. ANSWER ANY FOUR QUESTIONS.**
2. ALL QUESTIONS CARRY EQUAL MARKS.

THIS PAPER SHOULD NOT BE OPENED UNTIL PERMISSION HAS BEEN GIVEN BY THE INVIGILATOR.

QUESTION 1

Discuss the legal requirements for a valid legal contract.

[25 MARKS]

QUESTION 2

Agreements contrary to Law, public policy, or good morals cannot be conferred by legal action. Discuss.

[25 MARKS]

QUESTION 3

Write notes on the following:

- | | | |
|------|---------------------------|-----|
| i. | Essentialia of a Contract | [5] |
| ii. | Naturalia of a Contract | [5] |
| iii. | Stipulatio alteri | [5] |
| iv. | Misrepresentation | [5] |
| v. | Warranty | [5] |

[25 MARKS]

QUESTION 4

Discuss briefly any FIVE remedies available for breach of Contract.

[25 MARKS]

QUESTION 5

Mora debitoris and Mora creditoris may be means of breach of Contract. Do you agree - Discuss.

[25 MARKS]