

Mercantile Law

Foundation Examination
Spring 2012
Module B

5 March 2012
100 marks - 3 hours
Additional reading time - 15 minutes

Instructions to candidates:

- (i) All the Questions from Section-A are compulsory.
- (ii) Attempt any FOUR out of SIX Questions from Section-B.

Section A

Q.1 Select appropriate answer from the options available for each of the following multiple choice questions (MCQs). Each MCQ carries ONE mark.

- (i) A positive assertion, in a manner not warranted by the information of the person making it, of that which is not true, though he believes it to be true is said to be a:
(a) fraud (b) misrepresentation (c) mistake (d) misinterpretation
- (ii) According to the Sale of Goods Act, 1930 documents of title to goods include:
(a) bill of lading. (b) railway receipt.
(c) warehouse keeper's certificate. (d) all of the above.
- (iii) A minor can:
(a) be an agent (b) be a principal (c) both (d) none
- (iv) In the case of goods sold on sale or return basis, the property in goods passes:
(a) when price is paid. (b) when goods are delivered.
(c) when approval is conveyed. (d) in all of the above cases.
- (v) Partnership is:
(a) the relationship between persons who have agreed to share the profits of jointly owned property managed by all or any of them acting for all.
(b) the relationship created by an agreement between a banking company and person(s) providing for sharing of profit and loss arising from the finance provided to such person(s).
(c) both of the above.
(d) the relation between persons arising from a contract who have agreed to share the profits of a business carried on by all or any of them acting for all.
- (vi) The consent is said to be free when:
(a) two or more persons agree upon same thing in the same sense.
(b) all parties to the contract benefit from the contract.
(c) it is not the result of coercion or undue influence or fraud or misrepresentation or mistake.
(d) all of the above.
- (vii) What are the consequences of resale of goods by unpaid seller where he expressly reserves such right in case of buyer's default?
(a) The original contract of sale is rescinded.
(b) The new buyer acquires a good title thereto.
(c) The seller may claim damages based on the original contract of sale.
(d) All of the above.



Mercantile Law Exam Papers 2009

Raffaella Di Napoli



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The Law Times, 1922 *Corporate Finance Law* Louise Gullifer, Jennifer Payne, 2011-03-10 Corporate Finance is an area of law which is obviously of significant practical importance but the academic analysis of this area of law has also been increasingly recognised This book provides a discussion of the most interesting theoretical and policy issues in Corporate Finance law This book covers both the equity and debt sides of Corporate Finance law and seeks where possible to compare the two considering the desirability of each in various circumstances and pointing to areas of convergence and overlap The topics covered in this book include an overview of the financing options available to companies the relationship between debt and equity legal capital contractual protection for creditors proprietary protection for creditors single and multiple lenders transferred debt public offers of shares the ongoing regulation of the capital market the regulation of debt takeovers schemes of arrangement and private equity Each chapter analyses the issues so as to enable the reader to understand the difficulties risks and tensions inherent in this area of law and the attempts made by the legislature and the courts as well as the parties involved to deal with them This book discusses areas where the law is uncertain including some difficult conceptual problems and considers the present law critically including options for possible reform This book will be of interest to practitioners academics and students engaged in the practice and study of corporate finance law **Dalhuisen**

on Transnational and Comparative Commercial, Financial and Trade Law Volume 2 Jan H Dalhuisen, 2022-04-07 remains a must read for practitioners and academics interested in more than the substantive law of trans border commercial activity King's Law Journal Volume 2 of this new edition covers the transnationalisation of dispute resolution especially arbitration and contains a critical analysis of the main challenges to its success continuing credibility and effectiveness The volume distinguishes between commercial financial and foreign investment arbitration and concentrates on the status role and reasoning of international arbitrators their limited powers especially in matters of public policy and in property matters the threat of judicialisation and the need to connect with mediation and a settlement ethos The complete set in this magisterial work is made up of 6 volumes Used independently each volume allows the reader to delve into a particular topic Alternatively all volumes can be read together for a comprehensive overview of transnational comparative commercial financial and trade law *The Republic of China Yearbook 2009*, 2009 **Chambers UK 2009** Tracey Sinclair, 2008-11 An independent guide to the top solicitors barristers law firms and barristers chambers in the United Kingdom *Economy for*

and Against Democracy Keith Hart, 2015-10-01 Political constitutions alone do not guarantee democracy a degree of economic equality is also essential Yet contemporary economies dominated as they are by global finance and political rent seekers often block the realization of democracy The comparative essays and case studies of this volume examine the contradictory relationship between the economy and democracy and highlight the struggles and visions needed to make things more equitable They explore how our collective aspirations for greater democracy might be informed by serious

empirical research on the human economy today If we want a better world we must act on existing social realities **Who's who in Australia 2009** ,2007 A biographic reference to notable people in Australia Entrants are drawn from all areas of Australian life including the arts politics education medicine defence business diplomatic service and recipients of honours and awards Contract Law in England and Wales James C. Fisher,2018-01-24 Derived from the renowned multi volume International Encyclopaedia of Laws this practical analysis of the law of contracts in England and Wales covers every aspect of the subject definition and classification of contracts contractual liability relation to the law of property good faith burden of proof defects penalty clauses arbitration clauses remedies in case of non performance damages power of attorney and much more Lawyers who handle transnational contracts will appreciate the explanation of fundamental differences in terminology application and procedure from one legal system to another as well as the international aspects of contract law Throughout the book the treatment emphasizes drafting considerations An introduction in which contracts are defined and contrasted to torts quasi contracts and property is followed by a discussion of the concepts of consideration or cause and other underlying principles of the formation of contract Subsequent chapters cover the doctrines of relative effect termination of contract and remedies for non performance The second part of the book recognizing the need to categorize an agreement as a specific contract in order to determine the rules which apply to it describes the nature of agency sale lease building contracts and other types of contract Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance Its succinct yet scholarly nature as well as the practical quality of the information it provides make this book a valuable time saving tool for business and legal professionals alike Lawyers representing parties with interests in England and Wales will welcome this very useful guide and academics and researchers will appreciate its value in the study of comparative contract law *Financial Inclusion Regulatory Practices in SADC* Howard Chitimira,Tapiwa Warikandwa,2023-05-25 Against a background of calls to prioritise the improvement of financial inclusion in Africa this book provides an analysis of current financial inclusion measures in Southern Africa Evaluating the existing strengths and weaknesses of financial inclusion in Africa it identifies opportunities to improve inclusive financial services and aid poverty reduction in the region With a focus on South Africa Namibia Botswana and Zimbabwe as case studies for assessing current financial inclusion in the context of particular challenges faced by unbanked and underbanked customers who are easy targets for cybercriminals due to low levels of digital literacy it looks into the regulation and promotion of financial inclusion in Southern Africa The book explores financial inclusion in the context of digital transformation in the 21st century examining the regulation and promotion of financial inclusion in the context of digital transformation as well as the challenges related to financial inclusion Suggesting improvements to aspects of company law securities and financial markets in the Southern African Development Community region the book offers a comprehensive study on the regulation and promotion of financial inclusion in the Southern African

Development Community region It will be essential reading for students and academics researching financial inclusion international economic law and development Who's Who in Science and Engineering 2008-2009 Who's Who Marquis, Marquis Who's Who, 2007-12 **The Origins of Modern Financial Crime** Sarah Wilson, 2014-06-05 The recent global financial crisis has been characterised as a turning point in the way we respond to financial crime Focusing on this change and crime in the commercial sphere this text considers the legal and economic dimensions of financial crime and its significance in societal consciousness in twenty first century Britain Considering how strongly criminal enforcement specifically features in identifying the post crisis years as a turning point it argues that nineteenth century encounters with financial crime were transformative for contemporary British societal perceptions of crime and its perpetrators and have lasting resonance for legal responses and societal reactions today The analysis in this text focuses primarily on how Victorian society perceived and responded to crime and its perpetrators with its reactions to financial crime specifically couched within this It is proposed that examining how financial misconduct became recognised as crime during Victorian times makes this an important contribution to nineteenth century history Beyond this the analysis underlines that a historical perspective is essential for comprehending current issues raised by the fight against financial crime represented and analysed in law and criminology as matters of enormous intellectual and practical significance even helping to illuminate the benefits and potential pitfalls which can be encountered in current moves for extending the reach of criminal liability for financial misconduct Sarah Wilson s text on this highly topical issue will be essential reading for criminologists legal scholars and historians alike It will also be of great interest to the general reader The Origins of Modern Financial Crime was short listed for the Wadsworth Prize 2015 **Arizona Journal of International and Comparative Law** ,2009 Parliamentary Debates ,1883 *The Elgar Companion to UNIDROIT* Thomas John, Rishi Gulati, Ben Köhler, 2024-04-12 This comprehensive Companion provides a unique overview of UNIDROIT the primary independent organisation coordinating the practice of international private law across its 65 member states As the third in the suite of titles covering the three sisters of uniform private law and private international law it considers UNIDROIT s role in the creation of existing uniform law as well as posing questions about its future in the sector *Hansard's Parliamentary Debates* Great Britain. Parliament, 1883 New Thinking about the Taiwan Issue Jean-Marc F. Blanchard, Dennis V. Hickey, 2012-06-12 The Taiwan question has long been considered one of the most complicated and explosive issues in global politics In recent years however relations between Taiwan and the Chinese mainland have improved substantially to the surprise of many In this ground breaking collection distinguished contributors from the US Asia and Europe seek to go beyond the standard recitation of facts that often characterizes studies focusing on the Beijing Taipei dyad Rather they employ a variety of theories as well as both quantitative and qualitative methodologies to analyze the ebbs and flows of the Taiwan issue Their discussions clearly illuminate why there is a Taiwan Problem why conflict did not escalate to war between 2000 and 2008 and why cross Strait relations

improved after 2008 The book further reveals the limits of realism as a device to gain traction into the Taiwan issue demonstrates the importance of taking into account domestic political variables and shows how theory can be used to advance the cause of better China Taiwan relations and to analyze the potential for future conflict over Taiwan New Thinking about the Taiwan Issue is essential reading not only for students scholars and practitioners with an interest in studying relations across the Taiwan Strait but also for any reader interested in economics international relations comparative politics or political theory *The Parliamentary Debates* Great Britain. Parliament,1878 The Economist ,1914 *Decennial Edition of the American Digest* ,1920 **Parliamentary Debates (Hansard)**. Great Britain. Parliament. House of Commons,1927 Contains the 4th session of the 28th Parliament through the session of the Parliament

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