



BUSINESS LAW & ETHICS

AUG 2022

MOCK EXAMS

Time: 5:30 PM – 8:30 PM

Date: NOVEMBER 9th, 2022

Three hours duration

The Mock will be 3 hours in duration

The mock has **TWO** Parts.

Task 1 is worth **40%** of the total marks available

Task 2 is worth **60%** of the total marks available.

You are required to give your answers in the GSM answer booklet provided. Do not repeat the task in your answer, but show clearly the number of the task attempted on the appropriate pages of the answer book. Please start each task on a new page.

Rough work and notes **must** be written in the answer book or on supplementary sheets and **must** be clearly identified.



PART A - Compulsory

CASE STUDY QUESTION

Kwesi is a driver working with CIMG. On 14th February 2022 (Valentine's Day), the President of CIMG sent Kwesi to deliver some valentine gifts and parcels to some senior fellows of the Institute in Tema. After Kwesi had performed his assignment in Tema he decided to rush to Sege (on the Accra – Ada road) to see his girlfriend. On his way back later in the day at around Dawhenya, he ran the Institute's car into a Toyota Land cruiser car belonging to Mr. Tsatsu Tsikata, a prominent lawyer. As matter of fact, the land cruiser worth \$50,000 was damaged beyond repairs. The insurance covering Mr. Tsikata's Land Cruiser had expired on 13th February 2022. Mr. Tsikata has sued CIMG, Kwesi for negligence and for the value of the car.

Required:

- A.) Explain whether Kwesi is personally liable to replace Mr. Tsikata's car. [10 marks]
- B.) Discuss whether Mr. Tsikata is right in suing CIMG for the negligence of Kwesi [15 marks]
- C.) Advise the President of CIMG on the legal implications [15 marks]

SECTION B: 60 MARKS (ANSWER ANY THREE QUESTIONS)

2. Acceptance of Offer

CIMG Ghana made an advertisement in the newspapers that any registered student who wants to write their September exam for 2021 must send their completed application forms by registered post latest on 30th June 2021. Kwame, a student in Keta posted his application form at the Post office on 30th June 2021. Kofi who also resides in Teshie, Accra sent his completed form personally to the CIMG office on 20th June 2021. He met a security man at the entrance of the office and gave his forms to him and left. When the final list of students was released the names of Kwame and Kofi were not on the list and so they could not write the September exams they sued the institute.

What advice would you give the institute?

3: Discharge of Contracts

Write short notes on the following with reference to discharge of contract;

- i. By Agreement
- ii. By Performance
- iii. By Frustration
- iv. By Breach

Q 4: Agency

- a. "No one can act as the agent of another person unless and until he was appointed by that other person". Comment on the validity of this statement.
- b. Write short notes on any 2 (Two) of the following types of agents;
 - a. Factors
 - b. Brokers
 - c. Del Credere Agents
 - d. Auctioneers

Q 5: Contract of Sale (Sale of Goods Act, 1962 [Act 137])

What rules apply to auction sales under Act 137?

Q 6: "Business Ethics"

Conscious marketing demands that the purpose of a firm should go beyond making a profit. The Firm's decisions should be ethical (business and marketing ethics).

What are the implications of unethical behaviors by the 21st Century marketer and the business?

