



**COLLEGE OF BUSINESSES AND ECONOMICS
JOHANNESBURG BUSINESS SCHOOL
DEPARTMENT OF BUSINESS MANAGEMENT**

FINAL SUPPLEMENTARY ASSESSMENT

SUBJECT: Mercantile Law 1A
CODE: ADBL01A
TIME ALLOWED: 120 Minutes
TOTAL MARKS: 100

LECTURER: Mr DL le Roux
MODERATOR: Me B Van Der Merwe
NUMBER OF PAGES: 4

INSTRUCTIONS:

1. This is a closed-book assessment.
2. Question papers must be handed in together with your answer books.
3. Read the questions carefully and answer only what is asked.
4. Answer all the questions:
5. Number your answers clearly.
6. Write neatly and legibly on both sides of the paper in the answer book, starting on the first page.
7. Structure your answers by using appropriate headings and subheadings.
8. The general University of Johannesburg policies, procedures and rules pertaining to written assessments apply to this assessment.

QUESTION 1 [6]

What remedies do a person have against a breach of contract?

QUESTION 2 [5]

Discuss what you understand under the Information Theory.

QUESTION 3 [6]

What persons in South Africa are regarded to be without contractual capacity

QUESTION 4 [6]

Name 3 three types of consensus recognised by the South African Legal System

QUESTION 5 [10]

Name and discuss 5 different types of persons with limited contractual capacity

QUESTION 6 [6]

How can a minor attain majority status?

QUESTION 7 [20]

Give a short description of the following terms, as defined under the Law of Contracts:

- 7.1 Essentialia
- 7.2 Naturalia
- 7.3 Incidentalialia
- 7.4 Guarantee
- 7.5 Legal Obligation

- 7.6 Consensus
- 7.7 Debtor
- 7.8 Creditor
- 7.9 Delict
- 7.10 “Voetstoots”

QUESTION 8 **[5]**

Define an offer as described under the Law of Contracts?

QUESTION 9 **[5]**

Name 5 elements of a delict?

QUESTION 10 **[5]**

Define an obligation

QUESTION 11 **[10]**

Name 5 different types of breach of contract which is acknowledged by South African Law

QUESTION 12 **[8]**

Name 4 factors that may have an influence on consensus between 2 contracting parties

QUESTION 13 **[8]**

Name 4 requirements of a valid offer

[100]