

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(a) The original contract of sale is rescinded.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

Didier Musso



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The General Exception

Clauses of the TRIPS Agreement Edson Beas Rodrigues, Jr,2012-04-12 The general exception clauses of the TRIPS

Agreement of the World Trade Organization permit exceptions to copyrights and to the rights conferred by trademarks industrial designs and patents These clauses are intended to facilitate access to diverse forms of proprietary knowledge and therefore foster the interdependent pillars of sustainable development economic progress realization of human rights and the conservation of the environment In this book Edson Beas Rodrigues Jr argues that the TRIPS Agreement in its current configuration does not hinder the establishment of exceptions to intellectual property rights devised to promote vital socioeconomic interests such as the freedom to carry out creative and inventive activities freedom of expression the strengthening of free competition and increased access to educational materials by underprivileged students and to technical knowledge for humanitarian purposes [Guinea-Bissau Business Law Handbook Volume 1 Strategic Information and Basic Laws](#) IBP USA,2013-08 Guinea Bissau Business Law Handbook Strategic Information and Basic Laws [The Oxford Handbook of Financial Regulation](#) Niamh Moloney,Eilís Ferran,Jennifer Payne,2015-08-27 The financial system and its regulation have undergone exponential growth and dramatic reform over the last thirty years This period has witnessed major developments in the nature and intensity of financial markets as well as repeated cycles of regulatory reform and development often linked to crisis conditions The recent financial crisis has led to unparalleled interest in financial regulation from policymakers economists legal practitioners and the academic community and has prompted large scale regulatory reform The Oxford Handbook of Financial Regulation is the first comprehensive authoritative and state of the art account of the nature of financial regulation Written by an international team of leading scholars in the field it takes a contextual and comparative approach to examine scholarly policy and regulatory developments in the past three decades The first three parts of the Handbook address the underpinning horizontal themes which arise in financial regulation financial systems and regulation the organization of financial system regulation including regional examples from the EU and the US and the delivery of outcomes and regulatory techniques The final three Parts address the perennial objectives of financial regulation widely regarded as the anchors of financial regulation internationally financial stability market efficiency integrity and transparency and consumer protection The Oxford Handbook of Financial Regulation is an invaluable resource for scholars and students of financial regulation economists policy makers and regulators [ECIC2009-2nd European Conference on Intellectual Capital](#) Susana Rodrigues,2010 [Managing Openness](#) Mona Haddad,Ben Shepherd,2011 The global financial crisis triggered a broad reassessment of economic integration policies in developed and developing countries worldwide The crisis induced collapse in trade was the sharpest ever since World War II affecting all countries and all product categories A huge shock to the trading system combined with severe macroeconomic instability makes it natural for policymakers to call into question the basic underlying assumptions of trade liberalization and openness In particular outward oriented or export led growth strategies are being reassessed as openness is increasingly associated with greater volatility However it is crucial not to lose sight of the dynamic benefits that openness can offer Examples include technology transfer increased competitive

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