UNIVERSITY OF FORT HARE
NELSON R. MANDELA SCHOOL OF LAW
(East London Campus)

Commercial Law ACL 221 E

DEGREE EXAMINATIONS
OCTOBER/NOVEMBER
2019

Time: 3:00 hours
Subject: Commercial Law
Code: ACL 221 E
Marks: 100

This paper consists of two pages including the cover page

Internal examiners
Adv. V Booysen
Dr. T Shumba

INSTRUCTIONS

1. Answer ALL questions
2. Do not separate subsections of questions.
3. Pay careful attention to marks allocated.
4. WRITE LEGIBLY.
Question 1
1.1 What are the sources of the law of property? (5)
1.2 Mention different kinds of companies (5)
1.3 What is your understanding of share block? (5)
1.4 Discuss advantages and disadvantages of share blocks regime (10)

[25]

Question 2
X is a developer, and she approaches you for an advice on how to go about establishing and registering sectional title units. Give her an advice and include advantages and disadvantages of this regime with reference to case law and legislation. (25)

Question 3
3.1 Section 2 of the Wills Act 7 1953 prescribes formalities that have to be complied with in order for a will to be valid. Outline and explain the prescribed formalities that are required in order for a statutory will under the Act to be valid. (10)

3.2 You are the Master of the High Court, and you are approached by the widow of Mr X, asking about your functions and that of the executor. Please advise her accordingly. (15)

3.3 A bachelor, dies intestate leaving an estate of R1million. The Master appoints an executor who is unable to ascertain whether or not the deceased has any blood relations. How should the executor distribute the estate? (5)
3.4 What are the effects of divorce or annulment of marriage on a will? (5)

[35]

Question 4
4.1 What do you understand by Intellectual Property? (2)
4.2 What is the difference between trademark, patent and copyright? (3)
4.3 What are the functions of trademark? (10)

[15]

TOTAL [100]