

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

**LAW OF PERSONS  
LPR 113L**

**DEGREE/SUPPLEMENTARY EXAMINATIONS  
JUNE / JULY 2025**

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**Time: 3 HOURS**  
**Subject: LAW OF PERSONS**  
**Code: LPR 113L**  
**Marks: 100**

**INTERNAL EXAMINERS:**

Mrs H Pepeteni  
Adv S Seti

**EXTERNAL EXAMINER(S):**

**INSTRUCTIONS**

1. Answer ALL questions. There is no choice as to questions to be answered.
2. Substantiate your answer by reference to applicable case law and/or legislation.
3. Do not separate sub-questions.
4. It is in your best interest to write clearly and legibly.
5. Rely on relevant case law and statutory provisions.

### **Question 1**

Tammy is a nine-year-old child whose parents are divorced. She lives with her mother in Port Elizabeth. Her father lives in Johannesburg. She spends every alternate school holiday with her father.

Where is Tammy domiciled? Explain with reference to authority. What are the requirements for a domicile of choice? **(25 Marks)**

### **Question 2**

The question of whether a person can compel another adult and/or a child to undergo scientific parental testing has been fraught with difficulty, resulting in a series of judgments. Discuss the development of this area with reference to the cases **(25 Marks)**

### **Question 3**

Jenny is 17 years old. She concludes a contract with Arnold, who is an adult, to buy his laptop for R3000. In order to conclude the contract, Jenny told Arnold that she was 18 years old. Jenny pays a deposit of R600, given to her by her aunt for her birthday, and Arnold allows her to take the computer home with her. A month later, Arnold requests payment of the balance of the purchase price. Jenny refuses to pay the rest of the purchase price on the grounds that she is a minor and therefore cannot be held liable. She also wants to reclaim her deposit. Advise Arnold, with reference to authority, as to whether he can recover the contract price, or any price, from Jenny. Also, indicate whether Jenny would be able to reclaim her deposit. **(25 Marks)**

### **Question 4**

Tim Johnson died on the 20<sup>th</sup> of February 2025. He did not have a will. His estate is worth R900 000. At the time of his death, he was divorced from his first wife, with whom he had two children, Susan and Samantha. His current girlfriend, Shirley Wimple, is 5 months pregnant. Tim's ex-wife argued that the money should be divided equally between her two children as they were Tim's only living children on the date of his death. Shirley argued that her unborn child was also Tim's child and should therefore also benefit equally. Advise Shirley on the prospects of her success. **(25 Marks)**

[Total for examination: 100 marks]

**-END OF EXAMINATION-**