

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

**LCM221: COMMERCIAL LAW 2B**

**BSc DEGREE EXAMINATIONS**  
**JANUARY 2019**

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**Time:** 3 hours  
**Subject:** LCM221: Commercial Law 2B  
**Marks:** 100

**Supplementary Examination**

This paper consists of two pages, including the cover page

**Internal Examiner**  
**Dr NE Ojukwu-Ogba**

**Internal Moderator**  
**Dr SS Bidie**

**INSTRUCTIONS**

1. Answer **any four** questions;
2. Each question must be answered as per the instructions provided;
3. It is in your best interest to write clearly, neatly and legibly;
4. In answering questions, rely on relevant case law and statutory provisions, where applicable;
5. Cross out all open spaces in or at the end of your answers and initial the crossing out before you submit your answer booklet;
6. Mark questions clearly and accurately.

**QUESTION 1:**

- (a) What is commercial law? **10 marks**
- (b) In terms of commercial transactions in South Africa, identify the significant **statutes** dealing with commercial transactions in the Republic. **15 marks**

**QUESTION 2:**

The Consumer Protection Act (No. 68) of 2008, in dealing with what constitute fair, just and reasonable terms in a commercial transaction, sets out **two conditions** that would be considered unfair, unreasonable or unjust contractual terms. **What are these conditions?** **25 marks**

**QUESTION 3:**

- (a) What is a deed of alienation? **10 marks**
- (b) Who are the parties to a contract for the alienation of interest in land? **15 marks**

**QUESTION 4:**

- (a) What are the different types of credit agreement? **10 marks**
- (b) What constitutes an agreement as a credit agreement? **15 marks**

**QUESTION 5:**

Administration of estates is a very important topic in South Africa because it touches on the lives of almost everyone in the Republic. **Briefly discuss the following terms** in relation to the administration of estates in South Africa. Support your discussion with statutory and case law authorities:

- (a) Residue of an estate; **15 marks**
- (b) Will; **5 marks**
- (c) Executor **5 marks**