



NATIONAL OPEN UNIVERSITY OF NIGERIA
14-16 AHMADU BELLO WAY, VICTORIA ISLAND, LAGOS
SCHOOL OF SCHOOL OF LAW
JANUARY/FEBRUARY 2013 EXAMINATION

LAW 332: LAW OF COMMERCIAL TRANSACTION 11

TIME ALLOWED: 3 HOURS

ANSWER ANY FIVE QUESTIONS, ALL QUESTIONS CARRY EQUAL MARKS

1. [A.] WHAT DO YOU UNDERSTAND BY SALE OF GOODS?
[B.] IDENTIFY AND EXPLAIN THE TWO SITUATIONS ENVISAGED IN THE DEFINITION OF THE SALE OF GOODS

[C.] WHAT DO YOU UNDERSTAND BY CONTRACT OF SALE AND AN AGREEMENT TO SELL?
2. DISTINGUISH BETWEEN SALE OF GOODS AND
 - 1) EXCHANGE
 - 2) BAILMENT
 - 3) HIRE PURCHASE
 - 4) GIFT.
3. WRITE SHORT NOTES ON THE FOLLOWING:
 - A. CAPACITY TO BUY AND SELL
 - B. CONSIDERATION
 - C. CONTRACT OF SALE OF GOODS
4. IDENTIFY AND DISCUSS IN FULL THE DIFFERENT CATEGORIES OF GOODS AS PROVIDED FOR BY THE SALE OF GOODS ACT.
5. A CONTRACT OF SALE CAN BE VIVIDLY DESCRIBED AS ONE WHICH EXISTENCE IS BASED ON CERTAIN BASIC COMPONENTS. DISCUSS
6. WRITE SHORT NOTES ON THE FOLLOWING:
 - A. GENERAL PROPERTY AND SPECIAL PROPERTY
 - B. PROPERTY AND POSSESSION
 - C. SPECIFIC GOODS IN RELATION TO TRANSFER OF PROPERTY
7. THERE ARE RULES FOR ASCERTAINING THE INTENTION OF THE PARTIES AS TO THE TIME OF WHICH THE PROPERTY IN THE GOODS IS TO PASS TO THE BUYER. DISCUSS
8. [A.] WHAT DO YOU UNDERSTAND BY THE PRINCIPLE OF ***NEMO DAT QUOD NON HABEAT***
[B.] IDENTIFY AND EXPLAIN THE EXCEPTIONS TO THE RULE OF NEMO DAT QUOD NON HABEAT
9. WRITE SHORT NOTES ON THE FOLLOWING:
 - A. CONDITIONS
 - B. WARRANTIES

C. REPRESENTATIONS
D. LIABILITY OF MANUFACTURER