



**NATIONAL OPEN UNIVERSITY OF NIGERIA
14-16 AHMADU BELLO WAY, VICTORIA ISLAND LAGOS
SCHOOL OF LAW
MAY/JUNE 2012 EXAMINATION**

LAW 324: LAW OF TORTS II

Time allowed: 3 Hours

Instructions: Attempt any five questions. All questions carry equal marks.

1. The tort of nuisance is unduly tilted in favour of the plaintiff against the defendant. Discuss.
2. In the rule of strict liability the defendant is liable for damage resulting from his act notwithstanding that no fault is to be found in him. Discuss.
3. A master will not be vicariously liable for the tort of a servant committed outside the servant's course of duty. Critically evaluate this statement.
4. "Defamation is the publication of a statement which tends to lower a person in the estimation of right thinking members of the society generally, or which tends to make them shun or avoid the person. Sir P. H. Winfield, Law of Tort. Discuss.
5. Enumerate and evaluate the defences available to a defendant in an action for defamation.
6. False misrepresentation of facts is actionable under the Law of Torts. Discuss.
7. The tort of passing off is important in the economic life of the society. Discuss.

8. The intentional inducement of a contracting party to break his contractual relationship with another amounts to a tort and therefore actionable. Discuss.
9. Critically evaluate the various ways torts can be terminated. Evaluate.