



**NATIONAL OPEN UNIVERSITY OF NIGERIA**  
**14-16 AHMADU BELLO WAY, VICTORIA ISLAND LAGOS**  
**SCHOOL OF LAW**  
**MARCH/APRIL 2015 EXAMINATION**

**COURSE CODE: LAW332**

**COURSE TITLE: COMMERCIAL TRANSACTIONS II**

**TIME ALLOWED: 3 HOURS**

**INSTRUCTION: Answer Question 1 and any other three (3) questions**

1. James acts for and on behalf of Okoro and James entered into a contract with Dapo on behalf of Okoro who at the relevant time was not aware of the contract. What step must Okoro take and conditions must exist for the contract to be binding on Okoro.
2. (a) The existence of agency of necessity is conditional. Discuss.  
(b) Critically analyse the decision of the court in *Watteau v. Fenwick* (1892) 1 QB, 346
3. Jackson brutality forced his wife Joyce out of their matrimonial home. Joyce who is a bank manager intends to sue Jackson for her necessities, jewelries repayment of borrowed money. Advise the parties.
- 4 a.) An agent commits a wrongful act and a crime while executing the term of the agency. Who can be sued and under what situation(s)?  
b.) The creation of agency relationship can be express or implied. Discuss.
5. Discuss the corresponding duties of agent and the principal in an agency relationship.

6. Discuss the concept of minimum payment clause and its status under the Hire Purchase Act.