



NATIONAL OPEN UNIVERSITY OF NIGERIA
FACULTY OF LAW, DEPARTMENT OF COMMERCIAL LAW
Plot 91, Cadastral Zone, Nnamdi Azikiwe Express Way, Jabi – Abuja

JANUARY 2021_1 EXAMINATION¹²³⁴

COURSE CODE: CLL307

COURSE TITLE: COMMERCIAL LAW

CREDIT UNITS: 3

- INSTRUCTIONS:**
- (a) Indicate your Matriculation Number clearly
 - (b) Attempt Question one (1) and any other three (3) questions
 - (c) Question one (1) is compulsory and carries 25 marks; while the other questions carry 15 marks each.
 - (d) Using appropriate statutory and judicial authorities, present all your points in a straightforward, coherent and orderly manner.

TIME ALLOWED: 2.5 Hours

QUESTION 1:

Mr. Corel James and Mrs. Grace James have been legally married for over 20 years. The couple and their lovely kids live at No. 107 Sambisa Crescent, Shagali Quarters, Jabi, Abuja. However, sometime in January 2021, Mr. James left their matrimonial home for an undisclosed location. Mrs. James made several futile efforts to find out his where about after which she came to the conclusion that her husband has deserted her. Therefore, on the 22nd February 2021, Mrs. James went to a nearby supermarket and collected a bag of rice and tea items on credit out of extreme necessity.

With the aid of relevant judicial authorities, identify and discuss the nature of the agency involved. **25marks.**

QUESTION 2

- a. Define sale of goods. **5marks**
- b. Distinguish sale of goods from the following transactions.
 - i- Sale and Hire Purchase; **(5marks)**
 - ii- Sale and Gift. **(5marks)**

QUESTION 3

- a. What are the functions of a Bill of lading? **5marks**
- b. Discuss the Bill of Lading as a Contract. **5marks**
- c. Discuss the Bill of lading as a Receipt. **5marks**

QUESTION 4

- a. What do you understand by Unfair Competition? **5marks**
- b. Highlight the components of Unfair Competition. **10marks**

QUESTION 5

- a. What do you understand by Commercial arbitration? **5marks**
- b. Enumerate the advantages of institutional arbitration. **10marks**

QUESTION 6

Write short note on the following.

- a. Intention to create legal relation in commercial agreements. **5marks**
- b. Conditions. **5marks**
- c. Warranties. **5marks**