Debre Berhan University School of Law Model LL.B Exit Exam (2023)

Instruction: Choose the best answer from the given alternatives

1. Talking about constitution and constitutionalism, which of the following statement is invalid?
    A. Constitutions, written or unwritten, are condition precedents for constitutionalism.
    B. It is hardly possible to establish a constitutional legal and political order with a constitution that doesn't put limits on the government.
    C. The UK's experience demonstrates the possibility of establishing constitutionalism in the absence of constitution.
    D. A and B
    E. All

Answer: C

2. One is not prohibited under the FDRE Constitution to simultaneously assume
    A. Membership in the House of Peoples' Representatives and the Council of Ministers
    B. Premiership (being a Prime Minister) and Membership in the House of the Federation
    C. Membership in the House of Peoples' Representatives and the House of the Federation
    D. Presidency and Membership in either of the Federal Houses
    E. A and B

Answer : A

3. Pinpoint the incorrect statement about the right of Nations, Nationalities and Peoples in Ethiopia to self-determination, including secession, as enshrined under the FDRE Constitution.
    A. It is an unconditional right.
    B. It may not be limited even in the case of a state of emergency.
    C. The right may not come to effect without the demand for secession having won the support of the majority in a referendum to be organized by the Federal Government.

D. The recognition of the right, understood in conjunction with other provisions of the constitution, renders the undertaking of political activities in pursuit of secession lawful.

E. None

Answer: E

4. Talking about a typical republic with a parliamentarian form of government, which statement is valid?
    A. Offices of the head of state and the head of government are assumed by the same person.
    B. The head of state, a president elected from among the people, enjoys significant executive powers.
    C. Although the head of state can be a king/ a queen or a president, his/her powers are often ceremonial.
    D. Parliamentary majority is a condition precedent for the assumption of the highest executive office.
    E. None

Answer: D

5. In Ethiopia's constitutional history, the FDRE Constitution pioneered
    A. The reconstitution of the Ethiopian state as a Republic
    B. The establishment of a bicameral parliament
    C. The declaration of the secularity of the state
    D. Constitutionalizing of the principle of supremacy of the constitution
    E. None

Answer: E

6. Identify the statement with an incorrect account of regional states' power to decree a state of emergency according to the FDRE Constitution.
    A. The ground under which states may declare a state of emergency is limited to the occurrence of a natural disaster or an epidemic.
    B. A state of emergency declared by one state may not apply to another state's territory.
    C. The State Administration decrees such state of emergency at state level.

D. Regional states may, by their respective constitutions, provide for additional grounds for a state of emergency declaration than those specified under the FDRE Constitution.

E. None

Answer: D

7. Under the FDRE criminal code, robbery is different from theft in that:
    a. It involves abstracting other's property.
    b. It could be committed with the intent to get unlawful enrichment.
    c. It could me committed to enable a third party to obtain unlawful enrichment.
    d. It involves violence or intimidation.
    e. All

Answer: D

8. Which of the following statement is FALSE?
    a. Criminal law is a branch of public law
    b. Criminal law is a branch of private law
    c. Criminal law affects society at large
    d. Criminal law sets standards of behaviour that citizens must meet

Answer: B

9. Which of the following cannot be the victim of homicide?
    a. A 9 year old boy
    b. A baby in the womb
    c. A person who is dying
    d. A person in prison

Answer: B

10. What is the defence of necessity?
    a. A situation where a person commits an offence to avoid a greater evil to himself or another which would ensue from the objective dangers arising from the circumstances in which he or that other are placed

b. A situation where a person is put under pressure to commit an offence otherwise they will suffer some harm
c. A situation where a person refuses to commit an offence which it is deemed necessary that they commit
d. A situation where a person commits an offence which a ‘reasonable man' would think is necessary

Answer: A

11. A child under the age of _____ cannot be held criminally liable

a. 8 years
b. 9 years
c. 12 years
d. 14 years
e. 18 years

Answer : B

12. What is direct intention?

a. Where the consequence was what the defendant was aiming at
b. Where the consequence was not what the defendant was aiming at, but occurred anyway
c. Where the defendant had not intention to create a certain consequence
d. Where the defendant didn't know what he was aiming at

Answer: A

13. Identity a statement that is correct about a moral offender.

a. A moral offender is regarded as a principal criminal.
b. A moral offender is more dangerous than the accomplice.
c. In principle, a moral offender is liable to the same punishment with a material offender.
d. A moral offender is a participant in the commission of a crime.
e. All of the above.

Answer: E

14. Which one of the following law defenses can be an example of justifiable acts?

    a. Infancy
    b. Intoxication
    c. Necessity
    d. Superior order
    e. All of the above

Answer : E

15. Regarding Capacity, among the following statement which one is True?

    A. Right is presumption, but incapacity to exercise the same is an exception.
    B. Judicially interdicted person shall not conduct sustainable action before the law.
    C. Unless proved to the contrary every person is capable to perform juridical acts
    D. A & B are answers
    E. All

Answer: E

16. Contract shall be interpreted when,

    A. When benefit accrued to one of the contracting parties outweigh the other party benefit
    B. When the court due to justice and equity found that there is imbalance of benefit among the contracting party
    C. It became difficult to ascertain the intention of the parties.
    D. A& C
    E. All

Answer: C

17. --------- Which one of the following statements is true about the interpretation of contract under Ethiopian law?

    A. If the court is unable to know the intention of the contracting parties, it can interpret the controversial provision in favor of the debtor.
    B. If a contract is a contract of adhesion, the court shall interpret the provisions or words in the adhesive contract in favor of the party who prepared such a contract.

C. Good faith has no place regarding the interpretation of a contract.

D. None

Answer: A

18. ____Which of the following is odd?

A. Cancellation clause

B. Failure to honor a certain time limit

C. Judicial cancellation

D. Anticipatory breach of contract

E. All

Answer: C

19. Whenever performance of the contract is concerned with Money debt the law guaranteed all the freedoms for the parties, except one.

A. The contracting party may agree to furnish payment in foreign exchange.

B. Parties may by mutual agreement fix greatest interest rate without any legal limitation.

C. The creditor shall always claim interest regardless of establishing incurred damage.

D. It's the debtor who can determine appropriation of payment made in lieu of money debts.

E. None

Answer: B

20. Solidarity of obligation,

A. Results from existence of several debtors who are bound by similar transaction to the creditor.

B. Results from the existence of several Creditors who have similar claim from similar debtors.

C. Gives rise for creditors right to claim performance from either of the debtors.

D. A& B

E. A & C

Answer: E

21. Which one of the following statements is incorrect regarding suretyship?

A. The source of suretyship is always contractual agreement of the parties. Whereas the main obligation against which the surety provided may arise from extracontractual liabilities.
B. Suretyship is presumed to be made gratuitously except clearly stipulated otherwise by the parties.
C. A joint surety has a right to invoke the benefit of discussion and benefit of division when he is proceeded against by the creditor.
D. The creditor does not have any recourse against the counter-surety even in a circumstance whereby the principal surety failed to cover debtors' debt.
E. The creditor has legal recourse against secondary surety whenever the surety and the debtor failed to discharge their obligation.

Answer : C

22. Regarding Merger, among the following statement which one is True?
A. Concurrence of creditorship and debtor in one person extinguish obligation.
B. It happens when the debtor succeeds the creditor, but the vice-versa isn't true.
C. It extinguishes the contractual obligation regardless of the consent of the debtor.
D. A & B are answers
E. None

Answer: A

23. Which of the following statements is not correct about Ethiopian Human Rights Commission?
A. The Commission is charged with promoting human rights and investigating human rights abuses in Ethiopia.
B. In the cases of human rights violation, it has the mandate to punish the culprit.
C. It was established in 2000.
D. It is an independent federal state body established as per the FDRE Constitution.

Answer: B

24. Which one may not be considered a fundamental feature of human rights?
A. Indivisibility
B. Universality

C. Inalienability
D. Interdependency
E. Relativity

Answer: E

25. What mechanisms are provided to monitor the implementation of the ICCPR?
A. General comments and inter state complaint.
B. A reporting mechanism only.
C. A reporting mechanism and individual complaints.
D. A and C.

Answer: C

26. What is the meaning of cultural relativism?
A. Cultural relativism posits that local culture should validate the practice of all human rights.
B. Cultural relativism posits that human rights have a culture origin.
C. Cultural relativism posits that human rights apply equally to all without restriction.
D. Cultural relativism posits that the application of human rights relative to the laws of each nation.

Answer: A

27. Among the following one is not a documents included in “International Bill of Rights”?
A. UDHR
B. ICCPR
C. ICESCR
D. CEDAW

Answer: C

28. One of the following is not a sufficient ground for federal government to declare an Emergency law under the FDRE Constitution.
A. A natural disaster or an epidemic.

B. A break-down of law and order which endangers the constitutional order and can be controlled by the regular law enforcement agencies and personnel.
C. An external invasion.
D. A and C.
E. A and B.

Answer: B

29. According to the Marxist view of property and property rights;

A. Property rights are the fruits of the labor and mind of workers and needs protection.
B. Property rights claimed by the capitalists are fruits of their capital and entrepreneurship that needs to be promoted and protected by the state and laws.
C. The state shall control all the productive natural resources and raw materials for the purpose of promoting private property.
D. All
E. None

Answer: E

30. What distinguishes possession right from ownership right?

A. Possession right is temporary, while ownership right is permanent.
B. Possession right can be transferred, while ownership right cannot.
C. Possession right includes the right to use and enjoy the property, while ownership right includes the right to control and dispose of the property.
D. Possession right is recognized in common law jurisdictions, while ownership right is recognized in civil law jurisdictions.
E. Possession right is limited to immovable property, while ownership right extends to both immovable and movable property.

Answer : A

31. What is a common characteristic of both servitude right and usufruct right?

A. They are temporary rights that expire after a certain period.
B. They both involve the transfer of ownership of the property.
C. They are rights that can only be held by individuals and not by legal entities.

D. They grant the holder the right to use and enjoy another person's property.

E. They are limited to movable property and cannot be applied to immovable property.

Answer: D

32. In property law, what does the right of preemption refer to?

A. The right of the government to seize private property for public use.

B. The right of a tenant to purchase the property they are currently renting.

C. The right of a co-owner to purchase the share of another co-owner who wishes to sell.

D. The right of a mortgage lender to foreclose on a property in case of default.

E. The right of a landlord to terminate a lease agreement and regain possession of the property.

Answer: C

33. Which right allows an individual to occupy and possess a property without owning it?

A. Possession right

B. Ownership right

C. Usufruct right

D. Servitude right

E. Right of recovery and preemption.

Answer: C

34. What distinguishes ownership right from possession right?

A. Ownership right is temporary, while possession right is permanent.

B. Ownership right can be transferred, while possession right cannot.

C. Ownership right includes the right to use and enjoy the property, while possession right includes the right to control and dispose of the property.

D. Ownership right is recognized in common law jurisdictions, while possession right is recognized in civil law jurisdictions.

E. Ownership right is limited to movable property, while possession right extends to both immovable and movable property.

Answer: D

35. One of the following is correct about acknowledgment of paternity under our legal system?

A. A child who is merely conceived may be acknowledged
B. Acknowledgment of incestuous and adulterine children is not possible
C. Acknowledgment can validly establish paternal filiation even if the child has already been acknowledged
D. A mere declaration by a certain man that he considers himself as a father of a child suffices to validly establish paternal filiation
E. None

Answer: A

36. Which one of the following is correct about irregular union?
    A. Consent of the man and the women is essential to form valid irregular union
    B. It is not necessary that the behaviors of the man and of the women be analogous to that of married people.
    C. It is necessary that the men and the women represent themselves to third parties as being married
    D. The fact that a man and women keep up sexual relations between them is sufficient to constitute an irregular union
    E. There shall not be any bond of consaguinal relation between children born out of an irregular union and the relatives of the women or the man in an irregular union

Answer: A

37. Assume Ato Belay and W/rit Aster conclude marriage in January 28, 2011 before an officer of civil status. The officer of civil status issue certificate of marriage to these spouses on March 20, 2011. Which one of the following statement is sound with regard to this marriage?
    A. The revised family code does not accommodate situations whereby certificate of marriage will be issued at a later time, i.e., the marriage is invalid.
    B. The effect of marriage begins on January 28, 2011
    C. The effect of marriage begins on march 20, 2011
    D. All are sound
    E. None

Answer: B

38. One of the following statement is not correct about dissolution of marriage as it is stipulated under the RFC.

A. The RFC adopt no fault divorce system
B. Divorce by mutual consent is available for everyone
C. The court is the only competent organ for pronouncing divorce
D. The RFC provides for mandatory arbitration of family disputes.
E. B & D

Answer: E

39. One of the following should not be taken as a determinant factor of the best interests of the child while deciding child custody:
    A. The wishes of the child's parent or parents as to custody
    B. Ethnicity of the parent
    C. The preference of the child
    D. The intimacy of the relationship between the parent and the child
    E. The mental and physical health of the parent involved.

Answer: B

40. One of the following is incorrect about the concept of patrimony.

    A. Only persons have patrimony with the exclusion of other beings.
    B. Every person necessarily has a patrimony, irrespective of the fact that the person has no property at all.
    C. It is a person's rights and obligations appreciable in money looked upon as a whole.
    D. Patrimony is separable from the person.
    E. None
    F. All

Answer: D

41. Which one of the following statement is correct?
    A. In liquidator appointment, appointment by legatee by universal title and heirs at law prevails over any other mode.
    B. In exceptional circumstances, the Ethiopian law allows partial acceptance or renunciation.
    C. Under Ethiopian law a testator can either expressly or tacitly disinherit his heirs.

D. It is an exclusive power of the court to ascertain whether the justification for Disherison is true or false.

E. None of the above is correct.

Answer: B

42. Identify the correct statement about Unworthiness

A. In order to succeed the deceased, the heir and/or the legatee must be an unworthy person.

B. The rationale behind providing this as a precondition is in order to prevent a person profiting from his/her own crime.

C. In order to say the heir and/or the legatee unworthy s/he must be sentenced for his/her crime.

D. The crime must be made intentional.

E. All except A

F. All

Answer: E

43. One is different from the other in relation to validity of will:-

A. Illicit provisions

B. Violence

C. Fundamental mistake

D. Undue influence

Answer: D

44. It is a situation which requires the legatee to wait until a certain time lapse or a circumstance occurs.

A. Resolutive condition

B. Suspensive condition

C. Substitutio vulgaris

D. Charges

E. None

Answer: B

45. One of the following is the duty of a liquidator except:-

A. Finding whether there is a will

B. Determining the rightful successors

C. Administering the succession

D. Pay debts and legacies

E. Giving judgment on the potential disputes raised between legatees

F. All except E

Answer: F

46. Which of the following may be regarded as non-traders under the Commercial Code of Ethiopia even when they undertake the activity professional and for gain?

A. Handicraftsmen

B. Farmers

C. Animal breeder

D. Fishermen

E. All of the above

Answer: A

47. A joint venture is_____

A. A partnership whose partners are active in all business activities.

B. Partnership having legal personality.

C. A partnership having firm name of its partners.

D. The only business organization which is not legal entity.

E. A partnership established with the registration of its partnership agreement.

Answer: D

48. Among the following issues one can be the point of difference between Share Company and Private Limited Company under Ethiopian Commercial Code:

A. Existence of limited liability to shareholders

B. The requirement of minimum fixed capital is regulated by law

C. The requirement of minimum number of shareholders is regulated by law

D. Negotiability of shares

E. None of the above

Answer: D

49. The total capital of Selam Share Company is composed of equity capital and debt capital. Sara is a preference shareholder in the company and Chaltu is a debenture holder. From the aforementioned fact, which one is incorrect?

    A. Before any dividend can be paid to Sara, Chaltu could receive her payment from the company.
    B. Sara could enjoy voting rights over the nationality of the company but Chaltu could not.
    C. With other shareholders, Sara is a joint owner in the company while Chaltu is a creditor of a company.
    D. A & B
    E. None of the above

Answer: E

50. Among the following choices one is not a precondition to be complied by existing companies before increasing their capital?

    A. Amendment of memorandum of association needs to be made.
    B. The preexisting shares must be fully paid.
    C. Dividend shall be distributed to shareholders.
    D. The price of the new shares needs to be fixed.
    E. None of the above

Answer: C

51. Of the following one is the process comprises all the operations required to facilitate the end of company under Ethiopian Commercial Code.

    A. Liquidation
    B. Dissolution
    C. Winding up
    D. B & C
    E. None of the above

Answer: A

52. Melaku was driving a bus from Addis Ababa to Dessie. Mesay was on the bus. When the bus arrived in the city of Debre Berhan, it collided with a fence, and Mesay was injured.

Mesay filed a civil lawsuit against both the driver of the car, i.e., Melaku, and the owner of the car, i.e., Abera, for damages to Debre Berhan City Woreda Court. Both the owner and the driver of the bus stated in their statements of defense that the Ethiopian insurance company had provided insurance coverage for the bus, so let it be a party impleader. The Ethiopian Insurance Company submitted its defense in writing to the Debre Berhan City woreda court. Which of the following statements is true?

A. The woreda court has no jurisdiction to decide the dispute because the Ethiopian Insurance Company is a third-party joinder and a federally registered share company.
B. The Ethiopian Insurance Company cannot raise a preliminary objection as it entered the dispute in accordance with Article 43 of the civil procedure code of Ethiopia.
C. If the defendants fail to submit a statement of defense to the case presented by the plaintiff, the court must consider that they have admitted the case and make a decision according to Article 242 of the civil procedure code of Ethiopia.
D. Even if the defendants have not submitted their statements of defense, the court must frame issues and examine the evidence on the framed issues.
E. The driver of the bus cannot raise any preliminary objections to the plaintiff's claim.

Answer: D

53. Cassation litigation may end up in, except

A. The confirmation of the lower courts' decision
B. The variation of the lower courts' decision
C. Refer the case to the House of Federation if there is an interpretation of the law.
D. Remand to the lower court
E. None of the above

Answer: C

54. One of the following grounds of preliminary objection cannot preclude the litigant from instituting a fresh suit with respect to the same cause of action:

A. The lack of capacity
B. The suit's subject matter has expired due to the statute of limitations.
C. The subject matter of the suit is res judicata.
D. Lack of jurisdiction
E. A &D

Answer: E

55. The nonappearance of the plaintiff alone at the hearing of a suit entails one of the following:

A. Entertaining the counter-claim in ex-parte
B. Struck out of a suit
C. Dismissal of a suit
D. Dismissal of the counter-claim
E. All except B and D

Answer: E

56. Which one of the following is correct about judgment and decree?

A. In judgment in consensus, there is dissenting opinion.
B. In a majority judgment, there is always a dissenting opinion.
C. Only the judge(s) who gave a judgment and a decree are authorized to declare them to the parties.
D. A judge is not duty-bound to state the reason for his or her decision.
E. Supreme Court judges can sign on a judgment and decree that the high court judge gave.

Answer: B

57. Which one of the following statements is correct?

A. Parties are prohibited from being witnesses to their own cases in civil lawsuits.

B. The court must always recall any witnesses who have been examined.
C. Court inspection is legally recognized under the Ethiopian civil law justice administration.
D. A court cannot call expert witnesses unless the parties list them in their pleadings.
E. A commissioner who examines witnesses can render judgment and issue a decree.

Answer: C

58. Which one is correct about the review of judgment?

A. Appellate courts cannot dismiss the memorandum of appeal before issuing a summons to the respondent.
B. There are no conditions for a review of judgment owing to newly discovered evidence.
C. Trial courts can review their judgment and decree on the merits or the basic issue(s) of the case as per Article 208 of the civil procedure code of Ethiopia.
D. The trial courts cannot pass judgment and decree on the merits of the case that was remanded by the appellate court.
E. Appellate courts cannot review cases that have errors of law.

Answer: D

59. Identify the incorrect assertion concerning use of force

A. Customary international law permits anticipatory self-defence.
B. The ICJ jurisprudence maintains a state centric interpretation in its understanding of 'armed attack' as stipulated under article 51 of the UN Charter.
C. The only exception to the general ban against use of force recognized under the UN system is self-defence.
D. None

Answer: C

60. One of the following is not true concerning the law of treaty

A. A party may invoke its internal law to justify its failure of performing obligations arising from a treaty.
B. A treaty does not create either obligations or rights for a third state without its consent.

C. A treaty shall be interpreted in good faith in accordance with their ordinary meanings in their context taking its object and purpose into consideration.

D. None

Answer: A

61. Which of the following is not true about international organizations.

A. They have separate legal personality with their member states.

B. Their constituent instruments are regulated by the 1969 Vienna Convention on the Law of Treaties.

C. There is no single set of rules that govern international organizations.

D. None

Answer: D

62. In relation to sources of international law as envisaged under article 38 of the ICJ statute, one of the following is correct

A. Treaties and customary international laws have simultaneous application.

B. Customary international laws have subsidiary application.

C. ICJ follows the doctrine of stare decisis.

D. None

Answer: A

63. Upon accession to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 2009, Qatar entered reservation on range of the provisions of the convention including article 9(2), which obliges state parties to grant women equal rights with men with respect to the nationality of their children. The reservation was objected by some states including the Czech Republic, claiming that Qatar's reservation is contrary to the object and purpose of the Convention. Note that the Convention permits reservations provided that they are not incompatible with the object and purpose of the Convention.

Based on this, which of the following remains inaccurate

A. Qatar will remain party to the treaty as long as there is acceptance of the reservation by one contracting party.

B. Czech Republic's objection will preclude the entry into force in its entirety of the CEDAW between Qatar and Czech Republic

C. The provisions to which the reservation relates do not apply as between Qatar and Czech Republic to the extent of the reservation.

D. None.

Answer B

64. Currently, fighting is ongoing in Sudan between the national army and the paramilitary force known as Rapid Support Force (RSF) under the command of Hamdan Dagalo. As both sides have adopted urban warfare as a tactic in their fighting, civilians have been exposed to enormous suffering and millions are now stranded in the capital city. Within this context, one of the following is not valid under international law regarding the use of force.

A. Western countries such as the US can military intervene in Sudan to stop further civilian bloodshed based on humanitarian intervention.

B. The United Nations Security Council has the right to authorize military intervention in Sudan.

C. The African Union can militarily intervene in Sudan with the consent of Sudan.

D. None

Answer: A

65. The duty of fiduciary relationship might not fit with _____.

A. Advocates fee should primarily focus on improving lawyers' life.

B. Justice and equality are the primary goal of advocacy.

C. Lawyers should act for the interests of their client.

D. Duty of honesty is one element of fiduciary relationship.

Answer: A

66. A judge violates his duty to be competent and diligent_____.

A. If he maintains order and decorum of the court

B. If he participates in training organized by the judiciary

C. If his decision contradicts same decision rendered by the federal supreme court of cassation bench.

D. If he passed a death penalty against an individual who had committed a heinous crime.

Answer: C

67. Which one is *a valid* statement about a federal judge in Ethiopia?

A. A federal judge cannot be criminally prosecuted unless he is caught in red handed committing a serious crime.
B. The executive cannot participate in appointment of federal judges.
C. A federal judge cannot be amenable to civil liability for violation of judicial code of conduct.
D. Age is one criterion for judgeship in Ethiopia.

Answer: D

68. Which one of the following is *not true* about practicing law?

A. Practicing law without a license is a crime.
B. A person can represent his father in a court of law without having a license
C. Graduation from law school is a pre-condition to become an advocate
D. Any Ethiopian can practice law.

Answer: A

69. No judge of a Federal Court shall sit in any case where----------?

A. he is related to one of the parties or the advocate thereof by consanguinity or by affinity.
B. the dispute relates to a case in which one of the parties is a person for whom he acted as tutor, legal representative or advocate.
C. he has previously acted in some capacity in connection with the case or the subject matter of the dispute.
D. All of the above.

Answer: D

70. The purpose of objective impartiality is to protect ----------

A. The parties to the case.
B. The advocates representing the parties.
C. Public confidence in the court.
D. The rights of the third parties

Answer: C

71. Which one of the following is correct concerning setting justice in motion in accordance to the Ethiopian criminal procedure code?
    A. Accusation is always duty in case of heinous crimes punishable with life imprisonment or capital punishment.
    B. Close affection and family relation can serve as a ground of special mitigation circumstance for failure to report the commission of crimes against the national defense of Ethiopia.
    C. Any person can report the commission of a crime punishable up on formal complaint.
    D. Crimes punishable upon formal complaint can be a subject of ADR mechanisms.
    E. Formal complaint is not necessary in case of flagrant offenses if the crime is punishable upon complaint.
    F. A and D.

Answer: E

72. One of the following is common for effecting a lawful arrest and search and seizure in accordance to the Ethiopian criminal procedure code.
    A. Necessity and legality
    B. Proportional or reasonable use of force
    C. Court warrant in all situations
    D. All except C.

Answer: D

73. Which one of the following is true about post judgment review under the Ethiopian criminal procedure law?
    A. An accused convicted as per his plea of guilty cannot appeal on the legality of the sentence but he can appeal on the conviction.
    B. An accused convicted as per his plea of guilty by a court having no subject matter jurisdiction cannot appeal on the conviction.
    C. The appellate court can decide favoring the co-offender whose appeal is dismissed provided that the decision of the appellate court on the appeal of the other co-

offender who separately submitted his appeal is still also beneficial to such co-offender.

D. An accused whose tried in his absence has no a right to appeal concerning the dismissal court his claim for setting aside such a judgment.

E. The public prosecutor has no right to appeal objecting the release of an arrested person on bail.

Answer: C

74. Which of the following is bailable crime as per the Ethiopian criminal procedure law?

A. Aggravated homicide

B. Aggravated robbery where the victim is dead

C. Homicide by negligence where the accused committed such crime without having valid driving license and exceeding the permitted speed limit.

D. Corruption offenses entailing more than 10 years rigorous imprisonment.

E. Aggravated theft

Answer: E

75. One of the following crimes falls exclusively under the jurisdiction federal courts?

A. A crime of terrorism

B. Illegal human trafficking and smuggling of immigrants

C. Crimes against the Ethiopian currency

D. All

E. None of the above

Answer: D

76. Which one of the following is a reasonable ground to put leading question during direct examination of witnesses?

A. In case of hostility

B. In case where the witness is a minor

C. To refresh introductory issues and memory of the witness

D. All

Answer: D

77. One of the following place of business is not a permanent establishment under the Ethiopian Income Tax Law

A) A place of management
B) A quarry site
C) Liaison office
D) A place Where factory is situated
E) None of the above

Answer: D

78. Which one of the following is not a resident of Ethiopia for income tax purpose?

A) An individual who is present in Ethiopia for 183 days in any one year period
B) An Ethiopian citizen posted abroad as consular
C) An individual who has a permanent home in Ethiopia
D) A company incorporated abroad and its effective place of management is located outside Ethiopia
E) A partnership whose place of effective management in Ethiopia

Answer: D

79. Which one of the following is Ethiopian Source Income for income tax purpose?

A) An income derived by a resident of Ethiopia by conducting business activity via an enterprise permanently situated in Ethiopia
B) An income derived by an employee in respect of employment exercised in Ethiopia
C) An income derived by a non-resident by carrying out business activity through a company incorporated in Ethiopia
D) A dividend paid to a person by a partnership established in Ethiopia
E) All of the Above

Answer: E

80. The following incomes are exempted from taxation under the Ethiopian Income Tax Law except:

A) Child maintenance payments
B) Income from games of chance
C) Hardship allowance
D) Salary paid to domestic servants

E) None of the above

Answer: B

81. One of the following is not an indirect tax under the Ethiopian Tax Law

A) Employment Income tax
B) Value Added Tax(VAT)
C) Excise Tax
D) Turn Over Tax
E) Withholding Tax

Answer: A

82. Which one of the following is a correct statement?

A. Non-pecuniary compensation is a rule for material damage.
B. In principle, no need to prove intent to injure to establish defamation
C. Damages awarded for the breach of constitutional rights is equivalent amount of damage
D. Fault is an important element in strict liability

Answer: B

83. Strict liability is different from the other types of sources of extra contractual liability:

A. It does not recognize non-pecuniary compensation
B. Recognize surrender as one form of damages
C. The claim is damages without damage
D. All

Answer: B

84. What are the available defenses for vicarious liability?

A. Absence of fault by the third party
B. The wrong doing was ultra vires
C. The control test is not fulfilled
D. A & C

Answer: D

85. Assume that Fanuel, a driver of Debre Birhan University, was generous to give a free ride for Miss Sara from Addis Ababa to Debrebrihan. Unfortunately, the car sustains an accident and Miss Sara suffers physical injury. Which one of the following is true?

    A. Miss Sara can claim compensation from Debre Birhan University as per Art. 2081 of the Ethiopian Civil Code
    B. Miss Sara needs to establish the fault of Fanuel
    C. Miss Sara may claim based on non-performance of contract
    D. All

Answer: B

86. Which one of the following is the available defense/s for a claim against unlawful enrichment?

    A. Knowledge and consent of the claimant
    B. Loss of enrichment at the time of the claim
    C. Prove the existence of contractual relation for the enrichment
    D. All

Answer: D

87. One of the following could not be taken as the present sources of Ethiopia's evidence rules:

    A. Modern and internationally accepted principles of evidences.
    B. Case laws.
    C. Evidentiary rules scattered throughout our substantive laws and procedural laws.
    D. None

Answer: D

88. One of the following could be taken as the nature of evidence law.

    A. Evidence law is adjective law together with procedural law, not substantive.
    B. Evidence law keeps the moral dimension of the wider public.
    C. Evidentiary rules are scattered throughout every substantive laws and procedural laws.
    D. None

Answer: A

89. Art 1147(1) of Ethiopian Civil Code provides" unless the contrary is proved, he who began to possess on behalf of another person shall be regarded as a mere holder", and sub (2) of this article says "proof to the contrary may be adduced by any means." This could be taken as an example of:-

    A. Rebuttable presumption on limited ground
    B. Rebuttable presumption on unlimited ground.
    C. Irrebuttable presumption of law.
    D. Rebuttable presumption on unlimited ground but by a specific person.
    E. B and D

Answer: B

90. One of the following is not true about relevancy and admissibility.

    A. Relevancy is a necessary condition for admissibility.
    B. Evidence to be admissible, has to be relevant to a material proposition, without any exclusionary rule preventing admissibility.
    C. Inadmissible evidence may not be received before a court, no matter what is relevance might be.
    D. None

Answer: B

91. Identify the one which is not a ground of incompetence of witnesses.

    A. Legal Interdiction.
    B. Mental incapacity.
    C. Physical incapacity.
    D. Deprivation of Right.
    E. None

Answer: D

92. One of the following is different from others :-

    A. Severance Pay
    B. Compensation

C. Payment of wage in lieu of notices period

D. Unutilized annual leave

E. B and D

Answer: E

93. Positivists do not believe in one of the following?

A. Law is a means to social ends but not as an end by itself
B. Law is prophesy of the court than the legislature
C. Law is a preventive channeling of conduct and expectations so as to avoid trouble.
D. Law should be studied separately from morality and justice
E. None of the above

Answer: B

94. From the following identify the correct combination or grouping?

A. Socrates-Apology
B. Aristotle—Multiculturalism
C. Cicero—Divine law
D. David Hume-- Law in action
E. Savigny---living law

Answer: A

95. Which of the following does not explain the command theory?

A. Introduced by David Hume
B. Law is enforced by Sanction
C. Sovereign is the central theme
D. The society must habitually obey the common superior
E. The elements of command and sanctions play a pivotal role

Answer: A

96. Which of the following factor is irrelevant for the characterization of a certain employee as a managerial employee?

A. The powers to lay down and execute management policies
B. The power to hire, transfer, suspend, layoff, dismiss or assign employees
C. The power to represent employees in collective bargaining processes
D. The power to recommend measures to be taken by the employer regarding managerial issues
E. All are answer

Answer: C

97. In which of the following suspension the government has more interest under the Ethiopian Labour Law?

    A. Disciplinary suspension
    B. Suspension for economic reasons
    C. Suspension for causes beyond the control of the employee
    D. Suspension for societal benefits
    E. None of the above

Answer: D

98. Under which of the following circumstance a contract of employment **cannot** be concluded for a definite period of time?

    A. To replace a worker who is temporarily absent due to leave
    B. In the events of abnormal pressure of work
    C. For the performance of specified piece work for which the employee is employed
    D. Whenever the employer wants
    E. All are answers

Answer: D

99. Which of the following element of contract of employment makes 'independent contracts' out of the ambits of the Labour Proclamation?

    A. The fact that the object of the contract is 'work'
    B. The fact that parties can agree directly or indirectly
    C. The fact that the employee works under the authorization of the employer
    D. The fact that the duration of the contract can be for definite or indefinite period.
    E. All are answers

Answer: C

100. As opposed to the labour regime, contract of employment in the civil service:

A. Provides maximum working conditions only
B. Provides minimum working conditions only
C. Provides both maximum and minimum working conditions
D. Leaves rooms for negotiation

Answer: A