WALLAGA UNIVERSITY

SCHOOL OF LAW

MODEL EXIT EXAMINATION FOR LL.B GRADUATES OF 2023

CHOOSE THE BEST ANSWER FROM THE GIVEN ALTERNATIVES.

1. The following may be suspended during emergency under FDRE Constitution except:

A) The right to religion

B) The right to life

C) The right to Equality

D) Right to privacy

2. Which one of the following is not a regional state power under the FDRE-Constitution?

A) Establishing state administration

B) Administering land

C) Regulating interstate commerce

D) Enacting state constitution

3. Which one of the following statements is correct concerning the key characteristics of the FDRE Constitution?

A) The Constitution makes the Prime Minister the head of the state.

B) The Constitution is a fundamental law of the nation.

C) The Constitution is subordinate to the legislature.

D) The Constitution is makes the president of Ethiopia the head of the government.

4. Which one of the mechanism is not used to solve constitutional problems within FDRE Constitution?

A) Constitutional Interpretation

B) Constitutional Amendment

C) Constitutional mainstreaming

D) All

5. Which one of the following statements is correct?

A) The FDRE is an example of a state in which there is a complete separation of powers.

B) A constitution is called rigid where no special process is required for its amendment

C) In a federal state, federal organs of government are subordinate to regional organs.

D) The British Constitution is an unwritten Constitution.

6. One of the following categories of individuals is absolutely free from the provisions of the criminal law of Ethiopia.

A. Insane persons.

B. Intoxicated persons.

C. Persons under the age of nine.

D. Young persons.

7. In FDRE criminal Code, the determination of the degree of individual guilt requires the consideration of:

A) The level of education of the criminal.

B) The gravity of the crime committed

C) Personal circumstance of the criminal

D) All

8. Which of the following statement is not true about Attempt Crime within FDRE Criminal Code?

A) As a rule, Attempt crime is always punishable

B) An attempt to instigate is not punishable unless the law expressly provides contrary

C) In attempted crime, the criminal is always liable to the punishment attaching the crime he/she intended commit.

D) Death penalty cannot be imposed on attempted crime

9. An accessory after the fact is:

A) A principal participant in the commission of a crime.

B) A secondary participant in the commission of a crime.

C) Liable to punishment provided for the crime the assisted person commits.

D) A crime against administration of justice.

10. Which of the following concept is not element of principle of Legality?

A) Principle of No law, No Offence

B) Prohibition of double jeopardy

C) Principle of No law, No punishment

D) Principle of Creation of crime by analogy

11. Identify factor that cannot be used to aggravate penalty under FDRE Criminal code.

A) Misuse of power

B) Habitual/ Professional nature of crime

C) Good character

D) Criminal acted in pursuit of a criminal agreement

12. Which of the following is odd?

A) Acts required by law

B) Consent of Victim

C) Absolute coercion

D) Necessity

13. Taxes are instrumental for a government:

A) To reduce consumption of harmful goods and services.

B) To generate Revenue

C) For encouraging saving and investment.

D) All.

14. Which of the following taxation power is concurrent power of both federal and regional state?

A) Income tax from persons working for regional governments

B) Income tax from employees of International organizations

C) Tax from large scale mining operations

D) Tax from small businesses in regions

15. Which one of the following tax falls within the category of indirect tax?

A) Personal Income tax

B) Rental tax

C) Business profit tax

D) Excise tax

16. A tax payer who are not voluntarily or obligatorily registered for VAT shall pay:

A) Income tax

B) Custom duty tax

C) Turnover tax

D) Excise tax

17. Which of the following is not advantage of VAT?

A) Avoiding cascading effect of tax

B) Reducing possibility of tax evasion

C) Improving productivity

D) None

18. Which of the following is correct about rules governing local jurisdiction under the Civil Procedure Code of Ethiopia?

A) The rules help determine the allocation of judicial power between federal and state courts.

B) They are non-waivable.

C) The rules are helpful only to allocate judicial business between courts of a given judicial system exercising similar jurisdiction.

D) They go to the inherent power of the court and, as such the court's decree shall remain invalid if the rules are not complied with.

19. If Mr Hagos is the resident of the State of Tigray and Mr Desta is the resident of the State of Amhara, which one of the following statements is false about a civil dispute between Mr. Hagos and Mr. Desta?

A) The courts of the State of Tigray or that of the State of Amhara are competent to hear the dispute as far as federal courts were not established in those regions, but they must apply federal law to resolve the substance of the dispute.

B) Federal courts have exclusive jurisdiction over the dispute

C) Appeal does not lie to the Federal Supreme Court if the decision of a High Court in Tigray is reversed by the Tigray Supreme Court.

D) Appeal lies to Federal Supreme Court Cassation if the decision of High Court in Amhara is confirmed by Amhara Supreme court.

20. The court of rendition may be able to review its own decision if any one of the following grounds is present:

A) Failure to give due weight to an evidence

B) A new evidence on the merit of the case is discovered

C) Failure to correctly apply a substantive law

D) The previous judge of the bench gave an order to hear evidence on the merit even if preliminary objections are not ruled on.

21. The correct statement about Ethiopia's law of judgment and decree is that:

A) A judgment can be given orally.

B) The judge is not bound to state reasons for his decision.

C) Only the judge who gave a decree is authorized to sign it, otherwise the decree is null and void.

D) All

22. Choose the correct statement regarding the order of proceeding:

A) Plaintiff always makes its opening statement and produces its evidence before defendant does.

B) Defendant always makes its opening statement and produces its evidence before plaintiff does.

C) The order of proceeding depends on the issue framed and the party who bears the burden of proving same.

D) The order of proceeding is a typical feature of adversarial model.

23. Which one of the following is not true about the law of pre-trial hearing in Ethiopia?

A) It has the major purpose of resolving issues.

B) It has the main purpose of framing issues, if any.

C) It involves mainly examination of parties and not of evidence.

D) Judges are more active than parties at pre-trial hearing.

24. A petition for review by Court of Appeal and cassation bench of the Federal Supreme Court should be filed within _____ and ____days of a final judgment respectively.

A) 30 days, 60 days

B) 60 days, 90 days

C) 10 days, 20 days

D) 90 days, 30 days

25. When a defendant fails to appear on the first hearing of a civil suit despite effective and timely service of summons, what action is expected from Court?

A) he is deemed to have admitted the suit against him

B) the court shall order a new summons to be served on him

C) the court may dismiss the suit

D) the court shall proceed ex-parte without prejudice to the defendant's right to take appeal against the ex-parte decree

26. Which one of the following is not correct about limitation or restriction?

A) Every human rights are absolute.

B) Limitation results in only infringement of part of a right of individuals.

C) Every human right is not absolute, except prohibition of torture, prohibition of slavery the right to life and so on.

D) Restriction refers to justifiable infringement or violation of human rights.

27. The realization of one right result in the realization of other rights and violation of a human right results in violation other rights. For example, the deprivation of the right to food violates not only the right to food but also the right to life. The same is true to the contrary. Thus, from the following which will represent these characteristics of human rights?

A) Human rights are Universal

B) Human rights are divisible

C) Human rights are interdependent

D) Human rights are vertically applicable

28. Among the following what makes limitation different from derogation?

A) Limitation can be imposed for temporary while derogation is indefinite period of time.

B) Limitation doesn't result in total abrogation of a right, but derogation brings about total suspension of right.

C) Derogation doesn't result in total abrogation of a right, but limitation brings about total suspension of right.

D) All except C

29. Which one of human rights obligation requires States to provide access to legal remedies when violations have occurred in order to prevent further deprivations?

A) Obligation to fulfill

B) Obligation to respect

C) Obligation to protect

D) All

30. The prohibition of torture and cruel, inhuman or degrading treatment or punishment (CIDT) is_____.

A) Absolute

B) Neither torture nor any other form of CIDT can never be justified.

C) Protected without any explicit limitations.

D) All

31. Among the following all are general principles recognized under Convention on the Rights of the Child to protect the rights of the Child, except____.

A) The principle of the full and equal value of children and that each child shall enjoy the rights set out in the convention without discrimination.

B) The principle that in all actions concerning children the best interest of the child shall be the primarily consideration.

C) The principle of the right to life only entails the right to be protected against being killed.

D) The principle that children, who are capable of forming their own views, shall also have the right to participate and express their views, which shall be duly respected.

32. In order for an individual to bring a case/communication/petition under a human rights convention all are the requirements have to be met saver as:

A) The alleged violating state must have ratified the convention invoked by the individual

B) The rights allegedly violated must be covered by the convention concerned

C) Proceedings before the relevant body may be initiated without considering any precondition.

D) Proceedings before the relevant body may only be initiated after all domestic remedies have been exhausted.

33. Which one of the following is true about Charter Based human rights supervisory mechanism?

A) Supervisory mechanisms based on legally binding human rights treaty obligations.

B) Supervisory mechanisms enshrined in legally binding human rights instruments or conventions.

C) Supervisory mechanisms not based on legally binding human rights treaty obligations.

D) Reporting procedures, Interstate complaint, Individual complaint, Inquiries and others are the procedures to be followed.

34. Among the following particular group who are for various reasons are weak and vulnerable, as a result requires special protection for equal and effective enjoyment of their human rights.

A) Disabled Persons

B) Elderly persons

C) Internal Displaced Persons

D) All

35. Modalities of Transitional Justice that refers to an official act, usually through law, prospectively barring prosecutions of a class of persons for a particular set of actions or events known as_____.

A) Prosecution

B) Truth Seeking

C) Reconciliation

D) Amnesty

36. Which one of the following clearly express the difference between monism and dualism views concerning application of international and domestic laws?

A) Dualism characterizes international and municipal law as a single legal system with municipal law subordinate to international law, while Monism regards international and municipal law as separate systems so that the municipal courts can only apply international law either when it has been incorporated into municipal law or when the courts incorporate international law on their own motion.

B) Monism regards international and municipal law as separate systems so that the municipal courts can only apply international law either when it has been incorporated into municipal law or when the courts incorporate international law on their own motion. Dualism characterizes international and municipal law as a single legal system with municipal law subordinate to international law.

C) Dualism regards international and municipal law as separate systems so that the municipal courts can only apply international law either when it has been incorporated into municipal law or when the courts incorporate international law on their own motion, whereas Monism characterizes international and municipal law as a single legal system with municipal law subordinate to international law.

D) Monism views municipal courts can only apply international law either when it has been incorporated into municipal law or when the courts incorporate international law on their own motion, while the dualism views local courts automatically accept jurisdiction to adjudicate on lawsuits relying on international law principles.

37. Which of the following considered as means of International disputes resolution mechanism?

A) International Court of Justice

B) International Tribunals

C) Arbitration, Negotiation, and Mediation

D) All

38. A unilateral statement whereby a nation tries to exclude or modify the legal effect of a provision of a treaty while still joining the treaty known as____

A) Declaration

B) Reservation

C) Understanding

D) All

39. Which one of the following is unsound about situation that allows state to terminate a treaty?

A) It is always possible to terminate the treaty if all the parties to the treaty agree to do so.

B) There may be provisions in the treaty itself that allow termination in certain situations.

C) The treaty may allow termination on application by one of the parties to some international body.

D) In the absence of agreement among the parties as to termination, in situation of material breach by the other party and impossibility of performance of the treaty, the default rule is that termination is impossible.

40. Which of the following expression is incorrect about treaties?

A) Treaties are entered into by States, but international organizations have the capacity to enter into treaties as well.

B) A State can use domestic law as a justification for failing to perform international treaty obligations.

C) Treaties are binding as law at two levels, the domestic level as well as the international level.

D) Usually the same legal rules apply to the different types of treaties.

41. What are the core elements of the concept of state sovereignty?

A) The State has exclusive control over its territory and its internal affairs.

B) States are autonomous entities and, in principle, cannot be bound to an obligation without their consent.

C) Treaties are not imposed on specific state but rather entered into upon specific state's free consent.

D) All

42. Among the categories of compulsion open to state under international law, adoption by one state of an unfriendly and harmful act, which is nevertheless lawful, as a method of retaliation against the injurious legal activities of another state known as____.

A) Self defense

B) Reprisal

C) Retorison

D) None

43. Certain allegation of fact by a party does not necessarily need proof. There are exceptions to the general rule requiring evidence to be adduced to discharge a legal or evidential burden: -

A) Where a party admits a fact by making a formal admission either before the trial or at the trial.

B) Applies where the proof of the fact in issue may be presumed by the court from an inference drawn from one or more primary facts.

C) Under the doctrine of judicial notice.

D) All

44. Among the following, all are features of the three stages of examination of witnesses' except_____.

A) During the examination-in-chief the proponent tries to develop the testimony of the witness in the light most favorable to him

B) During-cross-examination the opponent tries to discredit that testimony

C) During re-examination the proponent tries to minimize the effect of cross-examination.

D) During cross examination the proponent tries to discredit that testimony and during re-examination the opponent tries to minimize the effect of cross-examination.

45. Authentication alone is not a sufficient for the admission of documentary evidence as proof but must also be qualified by the contents of a document can only be proved by adducing the original document itself known as___.

A) Best evidence rule
B) Parole evidence rule
C) Oral evidence rule
D) A and B

46. Suppose Tumsa instituted claim against Gutu on the breach of loan contract. And he annexed the original document signed by the defendant on the value of 1600 birr. But the defendant disagrees as to the amount of the loan he borrowed. And he provides a defense witnesses who are ready to testify that the amount of loan is not as prescribed as in the contract rather it is 1060. In this case, the court shall not accept the defendant's witnesses. Which of the following evidence rule represent aforementioned hypothetical case?

A) Exclusionary evidence
B) Best evidence rule
C) Parole evidence rule
D) All except A

47. Requirements of proceeding for offences punishable with rigorous imprisonment for not less than 12 years or offences against the fiscal and economic interest of the state are held only_____.

A) Ordinary Trial
B) Appellate trial
C) Trial in abstentia
D) Trial in Cassation Decision

48. Among the following all are correct about preliminary inquiry save as___.

A) Preliminary inquiry is to be held mandatorily for first degree murder
B) Preliminary inquiry is to be held mandatorily for aggravated robbery
C) Unlike preliminary hearing, in preliminary inquiry the prosecutor is not producing only her key witnesses or part of the evidence; she/he is producing all the evidence she has for recording.
D) Preliminary inquiry is to be held for all series crimes under jurisdiction of high court.

49. Pardon and Amnesty are related but different concepts. What are the major differences between the two?

A) Pardon is to be granted by the president of the country while amnesty is to be granted by the legislator.

B) Pardon is to be granted only after the conviction while amnesty is to be granted before, during or after conviction.

C) Pardon does not cancel the conviction or the sentence while amnesty cancel both sentence passed and the legal consequences of the sentence.

D) All

50. Which one of the following is not a ground for the public prosecutor not to institute a charge?

A) Insufficiency of evidence.

B) Absence of the accused in a case where prosecution in absentia is allowed.

C) If bared by period of limitation.

D) Pardon or amnesty and public interest.

51. What are the major factors that influence the court's decision whether to grant bail?

A) The status of the investigation.

B) The type of offence the suspect is alleged to have committed.

C) The reported behavior of the suspect.

D) All

52. Assume that Meti obtained the land for construction of a house by being a member of a cooperative society and she also took loan for construction before marrying Tullu. The construction of the house began few months before the conclusion of their marriage. The loan was paid after the marriage and by Tullu from the income of the spouses. Which of the following legal positions do you think would be preferred by Ethiopian laws?

A. The house is the personal property of Meti.

B. The house is the common property of the spouses.

C. The house is personal property of Tullu.

D. Tullu should be refunded the amount which he had spent on the house.

53. Which of the following **cannot** be raised as a defense for an action of battery under Ethiopian extra-contractual liability law?

A. A measure of corporal punishment

B. Absence of damage

C. Self defense

D. Unforeseen objection

54. From the following statements, identify the **correct** combination concerning the theories on the justification of private property.

A. According to the labor theory, the protection of private property is justified because a person is entitled to get protection for the fruits of her labor.

B. According to the labor theory, the protections provided for property of the person are protections for the person.

C. According to occupation theory, private property shall not be protected because it is impossible to find unoccupied object of property.

D. According to Marxist theory, private property is justifiable because it increases human felicity.

55. Which of the following is categorized as common property of spouses under Ethiopian family laws?

A. A villa house acquired by the spouses after marriage through personal donation.

B. A Toyota car acquired through the exchange of their personal property.

C. Income derived by the spouses from their own efforts.

D. A piece of land acquired through succession.

56. Some scholars argue that the Ethiopian law of extra-contractual liability usually focuses on redressing the victim when compared to the interests of the tortfeasor. This is evident from the fact that:

A. The fault is assessed regardless of age, physical disability, and mental status of the injurer.

B. Ignorance of law is no excuse.

C. The law recognizes liability without fault.

D. All of the above.

57. Assume that a bull owned by Chaltu mated a cow owned by Dinka and the cow gave birth to a calf. Which of the following statements is **correct** about the ownership of the calf under Ethiopian law?

A. Chaltu and Dinka are the joint owners of the calf.

B. Chaltu is the owner of the calf.

C. Dinka is the owner of the calf.

D. Dinka is the bare owner of the calf.

58. Which of the following is a defense to claims based on strict liability under Ethiopian extra-contractual liability law?

A. Harm is caused by a fault of the victim.

B. Absence of fault on the part of the defendant.

C. The harm was an act of necessity.

D. The damages are incalculable.

59. Which of the following statements is **correct** about the period of widowhood under the Revised Family Code of Ethiopia?

A. It seeks to grant protection to the rights of children.

B. It allows the couples to rethink their request for divorce of their marriage.

C. It is designed to limit the rights of the female not to marry anytime she wants.

D. It is granted by court for three months.

60. Which of the following statements is **incorrect** about the distinction between present and future material damage under Ethiopian extra-contractual liability law?

A. The dividing date between present and future material damage is the date of the judgment assessing the damage.

B. Future damage includes a damage that will occur certainly.

C. Future damage is compensable at the time when it materializes.

D. Where the date of judgment is varied on appeal, reference has to be made to the date of the varied decision to know the dividing line between present and future material damage.

61. Which of the following statements is always true about the classification of things under Ethiopian laws?

A. The Ethiopian Civil Code totally excludes intangible things from the classification of goods.

B. The terms goods and things are used interchangeably in the Ethiopian Civil Code to refer to the same concept.

C. Because a thing which becomes an intrinsic element of another thing ceases to exist as a distinct thing, its owner has no any legal remedy.

D. Trees and crops are corporeal chattels.

62. Identify the correct statement from the given alternatives about defamation as recognized under Ethiopian extra-contractual liability law.

A. Insult and defamation do not result in similar consequences.

B. The Ethiopian Civil Code grants immunity from an action for defamation to certain categories of persons.

C. Group defamation entails liability under the Ethiopian Civil Code.

D. Posthumous defamation entails liability under Ethiopian law.

63. In *The Ethiopian Roads Authority v Issa Mohammed*, the Federal Supreme Court Cassation Division has decided that: "…*the earth and rock related materials are natural resources and as natural resources are owned by the people and state, the people and state may use these resources without any payment. Therefore, even if the respondent has been granted by the relevant regional authority lease right to extract sand and gravel, as sand is a natural resource,… the respondent cannot have ownership over sand, and … the respondent is entitled to claim for the price of extracting the sand but not for the price of the sand itself since such claim has no legal basis.*" Which of the following is correct according to the Court's reasoning?

A. Use right over land would be considered as having economic value.

B. There shall be monetary compensation where there is no private property to be removed from the land at the time of expropriation.

C. The lost right to use and enjoy a land is not compensable under Ethiopian Law.

D. The law treats the taking of land from a landholder as an expropriation.

64. Which of the following statements is correct about the civil liability which arises from the damage caused by animals under Ethiopian law?

A. An employee keeping the animal is liable even if she has no fault at the time of the damage.

B. The holder can simply surrender the animal and be free.

C. The owner of the owner can surrender the animal and be relieved of liability even where she is at fault.

D. The victim is allowed to proceed against the owner even where the damage was caused by the holder.

65. All of the following statements are incorrect about the characteristics of patrimony except:

A. There are instances where patrimony is separable from the person of its holder.

B. Only the haves have a patrimony.

C. A person may have more than one patrimony in exceptional circumstances.

D. Patrimony presupposes its holder.

66. Which of the following statements is incorrect about void and voidable marriages?

A. A void marriage is one that cannot produce its intended legal consequences.

B. A voidable marriage is able to produce its intended legal consequences until it will be invalidated.

C. A void marriage is "*quod nullum est, nullum producit effectum*."

D. Ethiopian law recognizes both void and voidable marriages.

67. A mode of acquiring ownership title or some real interest through possession that is free from defects, exclusive and continuous is referred to as _____.

A. Acquisitive prescription

B. Limitative prescription

C. Extinctive prescription

D. Possession in good faith

68. The Ethiopian Revised Family Code allows opposition to marriage in certain circumstances. Based on this, which of the following categories of persons is not allowed to oppose to a bigamous marriage?

A. Public Prosecutor

B. The previous spouse

C. Any other interested person

D. All of the above.

69. In which form of business organization that the member(s) is/are legally authorized to raise defense of benefit of discussion where the creditor(s) brought action against such member(s) for the debt or liability of the former?

A. Share Company.

B. Private Limited Company.

C. Limited Partnership.

D. General Partnership.

Answer Questions No. 19, 20 & 21 based on the following hypothetical case.

A, B, C, D & E concluded contract on 1st January 2023. The latter Four are colleagues who are very keen to establish ***BCDE Business Group*** since their childhood. Thanks to Mr. ***A***, the richest man in their vicinity, they could obtain loan of 100,000 birr to realize their childhood dream. The contract also unequivocally spelt out that the due date for performance is after two months. Indeed, Mr. ***D*** is one of the highly experienced auto mechanics working in *Calvo Garage* owned by Mr. ***A*** with monthly salary of 6,250 birr. Mr. ***A*** is not paying monthly salary for his employee Mr. ***D*** since 1st January, 2023 with the intention not to claim the reimbursement of his employee's share from loan contract. Accordingly, they concluded contract of service in lieu of repayment of loan of share of his employee and agreed that let *Calvo Garage* wouldn't pay monthly salary for Mr. **D** for four months. This contract is reduced to written form, signed by those parties and witnessed by two witnesses.

70. Which one of the followings is **correct** about this hypothetical case?

A. The hypothetical case is all about simple joint obligation.

B. The hypothetical case is all about solidarity obligation.

C. Novation made for Mr. D also releases other co-debtors from obligation.

D. B, C & D are simple guarantor for their own share and principal debtor for the share of each other.

71. Assume that all co-debtors are solvent, who can raise ***defense of benefits of discussion*** against ***Creditor A*** in this hypothetical case?

A. Debtor D.

B. Debtor B.

C. Debtor C.

D. None.

72. Which one of the grounds of extinction of obligation is exercised in the relationship between "***A***" & "***D***" in this hypothetical case?

A. Set-off. C. Novation.

B. Merger. D. Performance.

73. Which one of the followings content of memorandum of association of Share Company is the most important one?

A. Liability Clause. C. Capital Clause.

B. Object Clause. D. Name Clause.

74. Mr. **Beka** is an employee of Commercial Bank of Ethiopia. His monthly salary is 80,000 birr including all benefit packages. He is father of three boys and girls. He bought insurance policy from Oromia Insurance Company and regularly pays premium as pertinent provisions of commercial code. Mr. **Beka** is passed away on 27th July, 2023 due to Car Collision.

Which one of the followings **true** about this hypothetical case?

A. The money collected from insurance policy makes part of inheritance.

B. The money collected from insurance policy doesn't make part of inheritance.

C. If his spouse is designated as beneficiary in the life insurance policy, money collected from insurance policy makes part of inheritance.

D. If his descendants are designated as beneficiary in the life insurance policy, money collected from insurance policy makes part of inheritance.

75. Which one of the followings is an exception to the principle of *privity* of contracts?

A. Delegation. D. *Pacta Sunt Servanda*.

B. Obligation. E. Suretyship.

76. Which one of the followings is true about the ***doctrine of constructive notice*** of memorandum and articles of association of share companies?

A. It is a positive document.

B. It is a negative document.

C. It is an exception to doctrine of indoor management.

D. It helps corporate outsiders to know the internal activities of the company.

77. ***Chala Bultuma Wayesa*** is the only offspring of Mr. Bultuma from Dandessu who, however, has three boys —Leel, Abdi and Tolera—from his new spouse, Biftu. He acquired 4 hectares of land by succeeding his father who passed away in 2018 due to the then political situation. Indeed, this land is a donation that Mr. Bultuma obtained from his grandfather, Gada when

he was born as first child-boy for his father. It was sorrow that Chala has fallen too early even without having descendants two years after death of his father where he is survived by his brothers, mother and grandfather. Assume that the issue of succession of 4 hectares of land is raised among the heirs of the deceased, Chala. Who can succeed him according to the pertinent provisions of Ethiopian law of succession?

A. Leel and Tolera. C. Abdi and Tolera.

B. Wayesa. D. Dandessu.

78. Which one of the followings is true according to the ***doctrine of corporate veil***?

A. It is an exception to the principle of corporate limited liability.

B. It is the doctrine that makes corporate outsider's liability unlimited.

C. It is an exception to the principle of separation of ownership and management.

D. It is the doctrine that makes all corporate insiders' liability unlimited.

79. Which one of the followings is true about cancellation and invalidation of contract?

A. The former has retrospective effect whereas the latter has prospective effect.

B. The former has prospective effect whereas the latter has retrospective effect.

C. The ground for cancellation of contract is problems of formation whereas the ground for invalidation of contract is non-performance.

D. The ground for invalidation is problem of formation of contract whereas the ground for cancellation is defect in consent.

80. In **XY** business organization only **Z** who is an outsider and manager is divulgated to all customers of the **XY** for all dealings between the former and the latter. This best describe:

A. Private Limited Company.

B. Limited Partnership.

C. Joint Ventures.

D. General Partnership.

81. Mr. Aboma is a famous attorney and legal counsel in Shagar City. Drafting various legal documents for his clients is among the professional works of Mr. Aboma. Mr. Wakwaya is resident of Shagar City and client of Mr. Aboma. One day morning he went to Mr. Aboma's office to get written document by which he wants to devolve his estate to his heirs. The

content of the document written by Mr. Aboma for Mr. Wakwaya, among other things, reads that….. "***This document is read in the presence of the testator Mr. Wakwaya and four witnesses where all have heard the contents of the document and duly signed***…"

Which one of the followings best describes this scenario?

A. Holographic Will. C. Oral Will.

B. Public Will. D. Donation.

82. Which one of the followings is ***wrongly matched?***

A. Ordinary General Meetings—Appointing board of directors.

B. Ordinary General Meetings—Removing auditors from power.

C. Extra Ordinary Meetings—Altering articles of company statutes.

D. Extra Ordinary Meetings—Approving financial reports.

83. ***Substitutio vulgaris*** under Ethiopian Law of Succession is:

A. A situation in which an alternative heir is appointed by testator where the primary failed to appear and receive the legacy.

B. A situation in which testator orders another person to appoint a new legatees where the primary legatees failed to appear and receive the legacy.

C. A situation where the old legatees are replaced by new legatees under the order of the testator.

D. A situation where singular legatees are replaced by universal legatees under the order of the testator.

84. Which one of the followings is **true** about surety ship?

A. Contract of surety ship is a non-benefactory contract in nature.

B. Contract of surety ship is a triangular contract in nature.

C. Defense of benefit of discussion is open to all sureties.

D. Defense of benefit of division is open to all sureties.

85. Surety ship Certifier is:

A. Simple Guarantor. C. Secondary guarantor.

B. Counter-guarantor. D. Primary guarantor.

86. The correct statement about historical jurisprudence and sociological school is:

A. Both are equally preoccupied with the origin of laws.

B. Both are equally concerned with the actual functioning and end results of law.
C. Sociological school is less concerned with the nature and origin of the law and rather it is preoccupied with the actual functioning of the law.
D. Historical school is less concerned with the origin of the law and rather it is preoccupied with the actual functioning of the law.

87. The separability thesis asserts that
A. Law and morality are conceptually distinct.
B. Judges decide difficult cases by making new laws in the exercise of discretion.
C. The necessary and sufficient conditions for legal validity have to do with how and by whom the law is promulgated.
D. All of the above.

88. The striking overlap between Legal Realism and the Historical School of Jurisprudence is that:
A. Both accord a vital importance to society and social factors in connection with law and judging.
B. Both pay attention only to the laws posited by the legislature.
C. Both postulate that law consists of rules in accordance with reason.
D. All of the above

89. Read the following passage/paragraph and answer the subsequent question:

The burial of the dead was regarded by the Greeks as a command of the sacral law, whose violation would be avenged by divine curse and punishment. Despite this, King Creon forbade the burial of Polyneikes, brother of Antigone, because he had offended against the laws of the state. Antigone, convinced that her action would expose her to certain death, heroically defied this command and buried her brother in accordance with the prescribed rites of the Greek religion.Which jurisprudential thought influenced the decision of Antigone?

A. Natural law thinking
B. Legal positivism
C. Legal realism
D. None of the above

90. One of the following sentences is incorrect.
A. Realists give emphasis to statutes more often than to the judge's beliefs
B. Natural law school believes in the existence of some higher moral values
C. Positivists put the sovereign power at the center of the legal system
D. None

91. Which one of the following employment relation is governed by Ethiopian labour Proclamation?

A. Contract of personal services
B. Domestic servants
C. Civil Servants
D. Contract of Apprentice

92. Suspension of a contract is:

A. Termination of rights and obligation
B. Total interruption of a contract of employment
C. Employer is expected to pay wages
D. Interruption of the worker obligation to perform a work

93. Which one of the following is Not Correct about the legally stipulated minimum working conditions?

A. The rationale behind such stipulation is that, parties to the employment relations are not at an equal bargaining position.
B. State intervention has been warranted in situations of market failure and this seems why many governments decide to intervene, through law making, and come up with minimum working conditions.
C. It is the violation of freedom of contract of the parties without any real cause.
D. The Ethiopian labour proclamation has failed to provide the minimum wage as a minimum working conditions.

94. Assume that the workers has been a victim of sexual harassment or sexual violence by the employer or a managerial employee. Such kind of contract can be _____.

    A. Terminated by the worker without notice.
    B. Terminated by the worker with notice.
    C. Terminated by the employer with notice.
    D. The contract cannot be terminated under such ground.

95. Identify the Correct statement about termination of contract of employment under Ethiopian labour law.

    A. An employer is absolutely prohibited from dismissing a worker who is under suspension.
    B. An employer whose right to terminate a contract of employment is barred by period of limitation (1 month), surrenders his right to terminate altogether (based on same ground) subsequently.
    C. Where contract employment is terminated by notice, the termination would be effective as of the date of issuance of the notice.
    D. All.

96. Which among the following is incorrect regarding prohibitions under the Federal Code of Judicial Conduct?

    A. It prohibits ex-parte communication.
    B. It prohibits judges from discussing merit of a case pending before court.
    C. Judges can communicate the merit of the case with presiding judge over the case.
    D. Judges cannot give any opinion on the merit of case pending before court on the media.

97. Which one of the followings off bench activities would not most likely affect on bench ethical duties of judges?

    A. Serving as Chief Executive Officer.
    B. Serving as part time lecturer.
    C. Serving as Fiduciary.
    D. Serving as member of board of directors.

98. Which one of the followings is a ***correct*** statement about advocate's ethical responsibility based on Federal Advocates' Code of Conduct?

    A. S/he should win a case by whatever means.

B. S/he should always act for consideration.

C. S/he should participate in Community Services activities.

D. S/he should refrain from participating in *pro bono* services.

99. Which one of the followings is NOT among the factors that could be taken into consideration in determining fee payment for advocates?

A. The complexity of a case.

B. The result obtained and amount involved.

C. The cumbersomeness of the question involved.

D. Legal awareness of the client

100. Which one of the followings is NOT among the ways through which judicial accountability could be ensured?

A. Legitimate public Criticism.

B. Responsible criticism

C. Commenting the judges on media.

D. Warranted criticism