

# NATIONAL UNIVERSITY OF SCIENCE AND TECHNOLOGY

SSC4208

BACHELOR OF SCIENCE HONOURS DEGREE EXAMINATIONS

DEPARTMENT OF SPORTS SCIENCE AND COACHING

## **CONVENTIONAL PROGRAMME**

### **THEORY: SSC4208: BASIC LAW, SPORTS LAW AND DIPLOMACY**

**APRIL 2014**

3 HOURS (100 MARKS)

#### **INSTRUCTIONS**

Answer four questions only. Each question carries 25 marks. Where a question contains subdivisions, the mark value for each subdivision is given in brackets. Illustrate your answer where appropriate with large, clearly labeled diagrams.

- 1) Discuss the delictual element of wrongfulness. (25marks)
- 2) i) In the Law of contract performance to which the parties have agreed must be capable of delivery". Discuss this assertion with reference to physical possibility of performance as a requirement for a valid contract. (10marks)  
ii) Discuss the conditions that should be met before a mistake renders a contract void. (10marks)  
iii) Define the concept of *Ratio Decidendi*. (5marks)
- 3) The fundamental concept and basis of the law of contract is *Consensus*. Discuss this concept and include its limitations. (25marks)
- 4 a) Define the term "law" (3marks)  
b) List five sources of sports law (5marks)  
c) Give five advantages of stare decisis. (5marks)  
d) Discuss any rights that a sports person can have (12marks)
5. a) Phillip concluded a contract to play rugby for the Springboks. In terms of the contract, the Springboks were given a right to renew the services of Phillip at the expiry of the contract. It was also stated that the Springboks should be granted an opportunity to match any offer by another team. At the end of that year Phillip procured an offer from another team and left the Springboks

without giving them the right to match the offer. Advise the Springboks. **(9marks)**

b) Write brief notes on the contractual capacity of minors. **(10marks)**

c). Explain the following forms of misrepresentation:

i) intentional misrepresentation **(2marks)**

ii) negligent misrepresentation **(2marks)**

(iii) Innocent misrepresentation **(2marks)**

6. Londoloza, a professional footballer has held talks with Kaiser Chiefs of South Africa to play for them in the new season. Londoloza, upon being accepted, and having signed the contract is expected to report for duty on May 1 of that same year. As the time to report approaches, Londoloza feels he is no longer able to meet the requirements of his obligations, and decides to abstain from travelling to South Africa, and in turn does not inform his new team of this decision. He hence adversely affects the relationship with his new employer as well as his contractual obligation.

i) Discuss the different elements in the law of breach of contract implied in this situation, and what remedies, if any, may exist for Kaiser Chiefs. **(15marks)**

ii) What are the three golden rules of Agency, and expand to discuss the duties of an agent and principal to one another. **(10marks)**

**END OF EXAMINATION**