

NATIONAL UNIVERSITY OF SCIENCE AND TECHNOLOGY
FACULTY OF THE BUILT ENVIRONMENT
BACHELOR OF QUANTITY SURVEYING (HONOURS) DEGREE
PART I SECOND SEMESTER EXAMINATIONS -MAY 2014
LAW: CONSTRUCTION AND ENGINEERING 1 – AOS 1205

Time: 3 hours

Total Marks: 100

Instructions to candidates

Answer any **four** questions

QUESTION ONE

- a) Highlight the important elements of law (5 marks)
- b) Explain various sources of law that form the legal system of Zimbabwe (20 marks)

QUESTION TWO

- a) What is the difference between express and implied terms of a contract (4 marks)
- b) Using examples distinguish the following types of contracts
 - i) Unilateral and bilateral contracts (3 marks)
 - ii) Void and voidable contracts (3 marks)
- c) Highlight and explain the elements that are required to form a legally enforceable contract (15 marks)

QUESTION THREE

With the aid of case laws, discuss the requirements of an effective acceptance of a contract. (25 marks)

QUESTION FOUR

- a) With the aid of examples explain elements which can vitiate contract formation (10 marks)
- b) A third party is suing a client on a contract which he is not part to. Discuss the legal implications on the aforesaid claim. (15 marks)

QUESTION FIVE

- a) Explain the purpose of the law of tort (5 marks)
- b) With the aid of case laws, discuss the major elements of negligence tort. (20 marks)

QUESTION SIX

- a) Explain with aid of examples the term vicarious liability (8 marks)
- b) Discuss the liability of children for negligent actions (7 marks)
- c) Discuss the principle under which tort of defamation is based on (10 marks)

END OF EXAMINATION