Faculty	Faculty of Commerce, Management and Law
Department	School of Accounting
Subject	Commercial Law for Accountants
Subject code	C2511AM /C3511AM
Date	June/July 2026
Time allowed	3 hours
Marks	100

First Opportunity Examination

Examiners: Mr. Johannes P. Uusiku (University of Namibia)

Moderator: Ms. Winfred S. Lupalezwi (University of Namibia)

Instructions to students:

1. This paper consists of three (3) pages including this cover page.
2. Answer ALL questions.
3. Answers to all the questions must be written in full in the answer booklet provided.
4. No books, dictionaries, papers, cellular phones, or any other written materials are allowed in the examination room/hall.
5. Clearly indicate on the answer booklet the mode of study i.e. fulltime/ distance.
6. Candidates who break the University of Namibia Examinations Regulations or commit malpractice will be disqualified from this examination.

UNIVERSITY OF NAMIBIA

EXAMINATIONS

Question 1 20 marks

Philip is a member of a criminal syndicate that sells pangolin scales that he obtains from poachers. Mike knows Philip sells illegally obtained pangolin scales. Mike places an order for 10 kg scales that he wishes to export to the East. They agree on the purchase price of N$100 000 for the scales and Mike transfers the money to Philip's account. Both parties have the capacity to act, and the agreement is physically possible. Philip delivers elephant tusks instead of pangolin scales to Mike. Mike refuses to accept the elephant tusks and claims his money back from Philip.

Answer the following:

(a) Discuss the requirements of a valid contract. (10)
(b) With reference to the above-mentioned case, evaluate if the requirements for a valid contract were met. In your answer it also indicate if Mike can claim the N$100 000 back from Philip as Mike did not take delivery of the tusks. (10)

Question 2 10 marks

Read the following scenario and answer the questions.

Meme Tina recently opened her own restaurant, known as "Memes's Kitchen". She approaches you for advice on the following aspects.

(i) When should her employees be granted a meal interval and how long should this interval be? (3)

(ii) May she expect from her employees to work on Sundays and Public Holidays? Motivate your answer. (3)

(iii) What is the maximum number of hours she may expect her employees to work per day and per week respectively? (4)

Question 3 10 marks

Steven enters into an agreement with Clear Blue Pools to build an oval shape swimming pool on his property. The parties further agree that the pool will be completed within a period of two months and that the pool will be ready for summertime. Clear Blue Pools do complete the pool within two months, but the shape of the pool is square and not oval as agreed. Instruction: Discuss the form of breach of contract that occurs in the scenario above.

Question 4 10 marks

Define what is meant by subrogation and discuss the doctrine of subrogation in insurance law.

Question 5 10 marks

Samuel is the owner of a 2018 Toyota corolla. After a standard service he was informed that the rings in the engine are damaged. There is nothing visibly wrong with the car, the performance is good and there is no excessive smoke. Samuel decides to sell the car without having it repaired. He sells the car to Peter for the purchase price of N$ 4000 without disclosing the fact the vehicles is in need of repair.

Shortly afterwards the car breaks down. The garage owner tells him the rings were damaged and the cost of the repair would be N$ 3000.

Advise Peter as to his rights and the remedies he may have against Samuel.

Question 6 10 marks

Sea Breeze Properties CC is building a beach house for Hilde, who is an Architect. When the project reached halfway stage, Hilde came to inspect the Jobsite. While she was looking around, Simon, a bricklayer in the employment of Sea Breeze Properties CC, negligently dropped a cement bucket on her brand-new Mercedez Benz. Hilde wants to know whether she has a claim against Sea Breeze Properties CC. Motivate your *answer.*

Question 7 10 marks

Petrina dog is pregnant. She agrees to sell all the puppies to Cilla for the Total amount of N$5000. Is this a valid sales agreement? Would your answer be different if they agreed that Cilla would buy the puppies for N$50 each? Discuss in full.

Question 8 10 marks

Philemon, who is 10 years old, enters a contract of employment to work in a clothing factory. His parents insisted this is legal because they also signed the contract as legal guardians. Explain the relevant provisions to Philemon parents.

Question 9 10 marks

Thoko has bought some cattle from Mpumzi. She has heard that it is Mpumzi's duty to deliver the cattle to her. Explain to her what this duty entails, and whether this will automatically make her the owner of the cattle.

END OF PAPER: BEST WISHES!!!!