

Law of Obligations

Tuesday 22 July 2025

08.30 – 11.30

(three hours)

Candidates should answer **THREE** questions.

Candidates are required to:

- Answer **one** question from **Section A** and **Section B**.
- Candidates **must answer** a third question chosen **from either** Section A **or** Section B.
- Candidates must answer **a total of three** questions.
- All questions are worth 100 marks.

Candidates should answer THREE questions, ONE question from Section A, ONE question from Section B and ONE other from either section.

Section A – Contract Law

Question 1

Breach of contract occurs when a party breaks one or more of the terms of the contract, without justification. Outline and illustrate, with reference to case law, two of the following legal remedies: resale, repudiate and rescind.

Question 2

For a contract to be valid, both parties must have capacity. Capacity to contract may be affected by an individual's age and mental capacity. Illustrate the current law in respect of both age and mental capacity with reference to statutes and case law.

Question 3

A contract cannot cover every contingency that may arise. Illustrate how terms can be implied by law with reference to case law and statutes.

END OF SECTION A

Section B - Delict

Candidates **must** answer **one** question from Section B.

Question 4

Outline and illustrate with reference to case law and statute, how any claim or claims arising from wrongdoing survive the victim's death.

Question 5

Can a pursuer make a claim if the defender's behaviour put the pursuer in immediate fear of hostile or objectionable physical contact? Illustrate your answer with case law.

Question 6

Liability for the financial consequences of words carelessly spoken or written presents particular problems. With reference to case law, outline and discuss negligent misrepresentation

END OF SECTION B

END OF PAPER